**Law on the amendments of the Energy Law**

 The Law was published in the *Official Gazette of the Republic of Serbia no. 40/2021* dated 22 April 2021, and entered into force on 30 April 2021.

Article 1

In the Energy Law (*Official Gazette of the Republic of Serbia*, No. 145/14 and 95/18 – state law), in Article 1 paragraph 1, the words: “the use of renewable energy sources, incentive measures and guarantee of origin” shall be deleted.

After paragraph 1, new paragraph 2 shall be added to read:

“Provisions of this Law, regarding the Autonomous Province of Kosovo and Metohija, shall be construed and applied pursuant to the UN Security Council Resolution 1244 and the Law on Ratification of the Agreement on the Establishment of the Energy Community”.

Former paragraph 2 shall become paragraph 3.

Article 2

 In Article 2, item 1) shall be amended to read the following:

“1) aggregating means aggregation of consumption and/or production of electricity for purchase, sale or auctions on the electricity markets;”

After item 1), items 1a) and 1b) shall be added to read:

“1а) aggregator is a legal or private entity providing the service of electricity consumption and/or production aggregation with the aim of selling, purchasing or auctioning on the electricity markets;

1b) base oil is basic oil of mineral, synthetic or vegetable origin used for the production of lubricants and for industrial purposes;”.

In item 10), the words: “purchases electricity from privileged producers and performs activities referring to the implementation of incentive measures, pursuant to this Law and regulations rendered on the basis hereof” shall be deleted.

Item 12) shall be deleted.

In item 13), after the words: “heating oils,” the following words shall be added: “marine fuels,”.

After item 24) items 24a) and 24b) shall be added to read:

(24a) a trade area is the largest geographical area within which market participants can exchange energy without allocating transmission capacity;

24b) an interconnector line is a transmission line that connects two control areas or trade zones;”.

After item 29), item 29a) shall be added to read:

“29a) control area means the area managed by the transmission system operator;”.

In item 30), after words: “connected to the system”, the following wording shall be added: “prosumer, electricity storage, aggregator”, and after the words: “electricity”, the following words shall be added: “or natural gas”.

In item 34), the words: “for reselling purposes” shall be replaced by the words: “for purposes of further sale”.

After item 34), item 34a) shall be added to read:

“34a) a prosumer is the final customer who has connected to internal installations its own facility for production of electricity from renewable energy sources, whereby the produced electricity is used to supply their own consumption, and the surplus generated electricity is transferred to the transmission system, distribution system , i.e. closed distribution system;”.

After item 39), items 39a) and 39b) shall be added to read:

“39a) point of connection is the point where the connector is connected to the existing or future electric power facility in the system;

39b) the place of connection of the system user’s facility is the place of demarcation of the installation of the user’s facility and the system operator electricity facility;”

Item 40) shall be deleted.

In item 41), after words “gas oils”, the words “marine fuels” shall be added, and after the words: “compressed natural gas”, the following words shall be added: “liquefied natural gas, oxygen”.

After item 43), items 43a) and 43b) shall be added to read as follows:

“43а) blending of bioliquids is adding bioliquids to liquid fuels of oil origin in the prescribed content;

43b) smart metering system is an electronic system involving smart metering devices for measuring energy and natural gas flow, subsystems for data transmission, storage, processing and analysis, and a central management subsystem which allows a two-way communication with smart metering devices, using some form of electronic communication;”.

After item 46), item 46a) shall be added, which reads:

“46a) the nominated electricity market operator is an entity designated by the competent authority to perform tasks related to the single day-ahead coupling or the single intraday coupling of the electricity market;”.

Item 47) shall be deleted.

In item 51), after the words: “electricity distribution system operator”, the following words shall be added: “closed electricity distribution system operator,”.

Items 56) and 57) shall be deleted.

Item 58) shall be amended to read as follows:

“58) ancillary services are services provided by users of electricity transmission and distribution systems to the transmission and distributions system operator, as well as services provided by the distributions system operator and closed distribution system operators to the transmission system operator, for the provision of system services;”.

Item 62) shall be deleted.

Item 63) shall be amended to read as follows:

“63) the connection to the system is a set of lines, equipment and devices including metering equipment, metering point, by which the installation of the energy entity, producer or final customer is physically connected to the electricity transmission or distribution system from the connection point to the connection place”.

After item 63), item 63a) shall be added, which reads:

“63a) the connection to the natural gas transport or distribution system is a set of pipelines, equipment and devices including metering equipment and metering point, by which the installation of the energy entity, producer or final customer is physically connected to the natural gas transport or distribution system;”.

After item 64), item 64a) shall be added to read as follows:

“64а) electricity producer is an energy entity performing the activity of electricity production;”.

Item 65) shall be amended to read:

"65) the regional coordination centre is a body in charge of coordinating the activities of transmission system operators in a certain European region in order to improve the security and coordination of the operation of transmission systems;”.

After item 67), item 67a) shall be added, which reads:

“(67a) electricity storage facilities are facilities for delaying the use of electricity in relation to the moment when electricity is produced, i.e. facilities for converting the electricity into other types of energy and storing such energy for subsequent re-conversion into electricity;”.

After item 70), item 70a) shall be added, which reads:

“(70a) the wholesale supply of natural gas is the sale of natural gas to customers, including resale other than to final customers;”.

In item 72) after the words: “distributive,” the words: “closed distributive” shall be added.

After item 74), item 74a) shall be added, which reads:

“(74a) thermal energy is the internal (thermal) energy of hot water, warm water or steam or coolant fluid, which is used for space heating or cooling, preparation of hot water, or for technological processes;”.

In item 79) the word: “biofuels” shall be replaced by the word: “bioliquids”.

In item 82) the words: “both compressed and liquefied natural gas” shall be replaced by the words: “bioliquids, compressed natural gas, liquefied natural gas and hydrogen”.

After item 84), item 84a) shall be added, which reads:

“84a) physical congestion is a condition where the level of demand for the actual delivery of natural gas exceeds the capacity of the natural gas system at a given point of time;”.

After item 85), the full stop at the end of the sentence shall be replaced by a semicolon and item 86) shall be added, which reads:

“86) central register of pressure equipment is a unique electronic information system of the ministry in charge of energy matters, with data on individual high hazard pressure equipment”.

Article 3

In Article 4, paragraph 1, after the words: “The Strategy is a”, the word: “basic” shall be added.

In Paragraph 2, after item 1), item 1a) shall be added to read as follows:

“1a) energy development projections and long-term energy balances;”.

Article 4

In Article 5, paragraph 2, the words: “

“The Programme shall be adopted by the Government, for a period of three years at the proposal of the Ministry in charge of energy affairs (hereinafter: the Ministry).”.

Paragraph 3 shall be deleted.

Former paragraphs 4-6 shall become paragraphs 3-5.

Former paragraph 6, which becomes paragraph 5, shall be amended to read as follows:

“The Autonomous Province and the local self-government unit shall adopt energy development plans to determine the energy needs in their areas, as well as the conditions and manner of providing the necessary energy capacities in accordance with the Strategy and Programme.”

After paragraph 5, paragraph 6 shall be added, which reads:

“Energy entities, at the request of competent bodies of local self-government units, shall submit data for the drafting of development plans referred to in paragraph 1 of this Article to the local self-government unit, within 30 days from the day of delivery, and shall separately define maps of heating zones in accordance with urban development of the city​/municipality.”

Article 5

In Article 8, after paragraph 2, a new Paragraph 3 shall be added to read as follows:

 “On the basis of the Report, it shall be suggested that the Strategy and the Programme be updated in line with real needs.”

Article 6

After Article 8, Articles 8a) and 8b) shall be added to read as follows:

“Article 8a

Pursuant to obligations taken pursuant to the international agreement, the ministry in charge of energy matters shall prepare the Integrated National Energy and Climate Plan in collaboration with other relevant ministries.

The Integrated National Energy and Climate Plan shall in particular contain:

1) a review of the current status as regards relevant policies;

2) national targets relating to the following areas:

 (1) decarbonation as regards greenhouse gas emissions and energy from renewable sources;

 (2) energy efficiency;

 (3) energy efficiency;

 (4) internal electricity market;

 3) research, innovation and competitiveness.

3) projections of achieving targets referred to in item 2) of this paragraph by implementing existing policies and measures;

4) a review of planned policies and measures concerning achievement of targets referred to in item 2) of this paragraph and a review of financial resources needed for their achievement, as well as monitoring indicators;

5) an impact assessment of planned policies and measures for achieving targets referred to in Item 2) of this paragraph.

 The plan under paragraph 1 of this Article shall be adopted by the Government for a period of ten years.

The Ministry shall, in collaboration with other relevant ministries, update the Integrated National Energy and Climate Plan referred to in paragraph 1 of this Article after the expiry of a period of 4 years after its adoption.

Further contents of the plan under paragraph 1 of this Article and guidelines for setting targets referred to in paragraph 2, item 2) of this Article, the manner of drafting and reporting, shall be governed by a regulation adopted by the Ministry.

Article 8b

 The implementation of the Integrated National Energy and Climate Plan shall be monitored by the Ministry, which shall prepare a report on its execution every two years.

 The report referred to in paragraph 1 of this Article shall be submitted to the Government by the Ministry.

 “The Ministry shall notify the competent body in accordance with the obligations arising from the ratified international agreements on the adoption of the Integrated National Energy and Climate Plan and shall submit the report referred to in paragraph 1 of this Article about the adoption of the Integrated National Energy and Climate Plan and submit the report referred to in Paragraph 1 of this Article.”

Article 7

Article 10 shall be amended to read as follows:

 “Energy vulnerable customers

Article 10

An energy vulnerable electricity or natural gas customer is a customer from the household category (comprising one or several members) who lives in one housing unit with a single metering point where the consumption of electricity or natural gas is measured, who has the status of an energy vulnerable customer, in accordance with the act referred to in paragraph 10 of this Article (hereinafter: energy vulnerable customer).

An energy vulnerable customer may also be a household (comprising one or several members) living in one housing unit, who is delivered heating energy pursuant to the act referred to in paragraph 10 hereof.

An energy vulnerable customer may also be a household if the life or health of a member of such household due to their health condition, can be jeopardized by an interruption of electricity or natural gas supply, and who has that status under paragraph 10 of this Article.

      A household shall acquire the status of an energy vulnerable customer if such a household:

1) belongs to a category with the lowest income by member of the household, established in accordance with the act adopted by the Ministry, taking into account all members of the household and all immovable property in the country and abroad;

2) does not own any other housing unit other than the housing unit whose structure and area corresponds to the needs of the household in accordance with the law governing social housing.

The status of an energy vulnerable customer shall be acquired on the basis of a decision issued by an authority of a local self-government unit in charge of social protection matters.

The decision under paragraph 5 of this Article may be appealed to a municipal or city council.

      An energy vulnerable customer referred to in paragraph 1 of this Article is entitled to electricity or natural gas supply in such quantities and with a reduction of the monthly payment obligation in a manner further prescribed in the regulation referred to in paragraph 10 of this Article.

An energy vulnerable customer under paragraph 2 of this Article is entitled to reduction of the monthly payment obligation for the supplied heating energy in a manner further prescribed in the regulation referred to in paragraph 10 of this Article.

Funds for exercising the rights of energy vulnerable customers shall be provided from the budget of the Republic of Serbia.

The Government shall further prescribe the criteria and conditions for acquiring the status of an energy vulnerable customer, contents of an application for acquiring the status of an energy vulnerable customer, manner of identifying the fulfilment of conditions for acquiring the status of an energy vulnerable customer, procedure for adoption of a decision on acquiring the status of an energy vulnerable customer, method of issuance and contents of a decision on acquiring the status of an energy vulnerable customer, validity periods of such a decision, contents and scope of the right to a reduction of the monthly payment obligation, acquisition of the status of an energy vulnerable customer due to health status, method of keeping records of energy vulnerable customers, method of providing funds for protection of energy vulnerable customers, penal provisions and other issues necessary for establishing such a status.”

Article 8

In Article 11, paragraph 1, the words: “natural gas” shall be followed by the words: “oil and oil derivatives”.

In paragraph 2, items 3) and 4), the word “fifteen” shall be replaced by the word “ten”.

Paragraph 3 shall be deleted.

Former paragraph 4 now becomes paragraph 3.

After former paragraph 4, which now becomes paragraph 3, a new paragraph 4 shall be added to read as follows:

“A report on the security of oil and oil product supply shall contain:

1. data about the production, import, export and consumption of oil and oil derivatives;
2. data regarding the security of supply with oil and oil derivatives;
3. technical and other requirements that must be met by liquid fuels originating from oil, liquid petrol gas and bio fuels;
4. data on oil infrastructure;
5. data regarding the quality and maintenance of the oil infrastructure facilities;
6. oil infrastructure investment plan;
7. review of sources of crude oil/oil derivatives supply (including geographical origin of imported fuels defined in the European regulations on energy statistics);
8. data about capacities for import and export of crude oil and oil derivatives”.

Article 9

                After Article 15, a title and Article 15a shall be added to read as follows:

“Projects of specific interest

Article 15a

The Government may, by a special act, define the construction of energy facilities, including line energy facilities (electricity line, oil pipeline, product pipeline and gas pipeline) and facilities in the function thereof, as well as connections to these energy facilities, as projects of special importance for the Republic of Serbia, with the exception when such projects include a protected area proclaimed pursuant to the law governing nature protection.

The provisions of the regulations which prescribe the procedures for the implementation of projects for the construction, extension and reconstruction of line infrastructure facilities of special importance for the Republic of Serbia shall apply to the implementation of projects referred to in paragraph 1 of this Article.

Financial resources for the implementation of projects referred to in paragraph 1 of this Article shall be provided at the expense of the investor of the facility for whose needs the project referred to in paragraph 1 of this Article is implemented, or from the budget of the Republic of Serbia, budget of autonomous provinces, budgets of local self-government units, loans, donations, own funds of the operator, and otherwise, as defined by a special act of the Government referred to in paragraph 1 of this Article.

Projects referred to in paragraph 1 of this Article envisaged in the development plan of the transmission system operator may be financed by the own funds of the transmission system operator, with the exception of connections to the transmission system, except in the case of connection of facilities owned by distribution system operators.

If the construction of facilities referred to in paragraph 1 of this Article is not envisaged in valid planning documents, an urbanistic project may be prepared for the purposes of determining public interest and determining location conditions for such facilities, without changing the planning document, except for determining the public interest for projects in the protected area.”

Article 10

In Article 16 paragraph 1, after item 8), item 8a) shall be added, which reads:

“8a) storing of electricity;”.

After item 12), item 12a) shall be added, which reads:

“12a) wholesale supply of natural gas;”.

Item 19) shall be amended to read as follows:

“19) trade in oil, oil derivatives, biofuels and compressed natural gas, liquefied natural gas and oxygen;”.

After Item 29), the full stop at the end of the sentences shall be changed into semicolon and item 30) shall be added to read as follows:

“30) mixing biofuels with liquid fuels of oil origin.”

After item 30), item 31) shall be added, which reads:

“31) hydrogen production.”

In paragraph 2, after number: “8)” number: “8a)” shall be added, after number: “12)” number “12a” shall be added, after point: “27)” the word “and” shall be replaced by a comma, and after number “29)” words: “30) and 31)” shall be added.

Article 11

In Article 18, paragraph 1, after the words: “electricity supply”, the following words shall be added: “or natural gas supply”.

Article 12

In Article 19, paragraph 1, after the words: “energy-related activity of wholesale electricity supply”, the words: “or wholesale natural gas supply” shall be added.

In paragraph 5, the words: “paragraph 2” shall be replaced by “paragraphs 2 and 4”, and after the words: “Ministry”, the words: “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

In paragraph 6, after the words: “Ministry”, the words: “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

Article 13

In Article 20, paragraph 4, after the words: “Agency”, the words: “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

In paragraph 5, after the words: “Agency”, the words: “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

Article 14

In Article 21, paragraph 1, after item 2), item 2a) shall be added to read:

"2а) storing of electricity;”.

In item 10), after the words “bio fuels” the word “bio liquids” shall be added, and after the words “natural gas”, the words liquified natural gas and hydrogen” shall be added.

Article 15

Article 22, paragraph 1 shall be amended to read as follows:

“The license shall be issued if the following conditions are met:

1) that the applicant is established or registered to perform the energy activity for which the license is issued;

2) that a usage permit has been issued for the energy facility, except for facilities for which the regulation governing the building construction does not require the issuance of a usage permit, or for facilities for which no usage permit has been issued, and a decision on legalisation has been issued with the report of the commission for technical acceptance, which has been formed and whose composition has been determined in accordance with regulations on planning and construction for the issuance of a usage permit;

3) that energy facilities and other devices, installations or plants, or pressurised equipment necessary for conducting energy activities meet the conditions and requirements determined by technical regulations, regulations on protection against fire and explosion, as well as regulations on environmental protection, i.e. regulations governing waterways, water protection and navigation and inland ports;

4) that the applicant meets the prescribed conditions in terms of professional staff to conduct technical management, operation and maintenance of energy facilities, or requirements regarding the number and professional qualifications of employees to perform maintenance of energy facilities, as well as of the manager for those facilities;

5) that the applicant meets financial requirements for conducting energy activities;

6) that the director, i.e. steering committee members have not been convicted of criminal offenses related to the performance of economic activity;

7) that the applicant has not been imposed a measure prohibiting the conduct of activities, or if the legal consequences of the imposed measure have ceased;

8) that the applicant has proof of the legal basis for the use of the energy facility in which the energy activity is conducted;

9) that no bankruptcy or liquidation procedure, i.e. compulsory liquidation has been initiated against the applicant.”.

After paragraph 2, new paragraph 3 shall be added, which reads:

“Technical inspection of the facility referred to in paragraph 1 item 2) of this Article shall be carried out in accordance with the provisions of the regulations governing planning and construction.”

After the former paragraph 3, which now becomes paragraph 4, new paragraph 5 shall be added, which reads:

“In addition to the conditions referred to in paragraph 1 of this Article, for the activity of trade in vessel fuels, the applicant shall also submit a decision on the issuance of authorization to perform port activities, i.e. on the status of port operator.”

In former paragraph 4, which now becomes paragraph 6, after the word: “electricity”, the words “or natural gas” shall be added.

Former paragraph 5, which now becomes paragraph 7, shall be amended to read as follows:

“Proof of fulfilment of the conditions referred to in paragraph 1, items 3) and 4) and paragraph 4 of this Article shall be the report from the inspection supervision carried out by the competent inspector, wherein is stated that no illegalities had been established.”

In Article 22, paragraph 1, item 2) shall be amended to read as follows:

“2) an exploitation permit has been issued for the energy facility, except for the facilities for which the issuance of an exploitation permit is not envisaged by the regulation governing construction of facilities, or facilities for which no exploitation permit has been issued but a decision on the legalisation has been adopted, together with a report by the commission for technical inspection, which was established and whose composition was decided in accordance with regulations on planning and construction for an issuance of the exploitation permit”.

In paragraph 1, item 3), after the words: “on environmental protection”, the words: „or regulations governing waterways, protection of waters and navigation and ports in inland waterways;” shall be added.

After paragraph 1, a new paragraph 2 shall be added to read as follows:

“Technical inspection of a facility referred to in paragraph 1, item 2) of this Article shall be implemented in accordance with regulations governing planning and construction, and regulations governing the contents and manner of technical inspection, issuance of exploitation permit, survey of land and the facility during the construction and exploitation and minimum warranty periods for certain types of facilities or works, and the composition of a commission for a technical inspection of the facility, by class and purpose of facility; conditions on the basis of which it shall be decided if a facility is suitable for exploitation; form and content of the proposal of the commission for technical inspection on the establishment of the suitability of a facility or a part of the facility for exploitation, as well as other issues of importance for conducting a technical inspection.”

Former paragraphs 2 and 3 shall become paragraphs 3 and 4 respectively.

After paragraph 3, which shall become paragraph 4, a new paragraph 5 shall be added to read as follows:

“In addition to conditions under paragraph 1 of this Article, for the activity of trade with vessel fuels, an applicant shall also submit a decision on the issuance of an approval for performing a port-related activity, and/or for acquiring the status of a port operator.”

In former paragraph 4, which shall become paragraph 6, after the words: “electricity”, the following words shall be added: “or natural gas”.

Former paragraphs 5 and 6 shall become paragraphs 7 and 8 respectively.

Article 16

In Article 23, paragraph 3, after the words: “Agency”, the words: “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

In paragraph 5, after the words: “paragraph 1, items 2) and 3) of this Law”, the words: “in case of a change of the legal basis of use due to a status change.” shall be added.

In paragraph 6, after the words: “Agency”, the words: “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

In paragraph 7, after the words: “Agency”, the words: “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

Article 17

In Article 25, paragraph 2, after the word “Agency”, the words “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

In paragraph 3, after the word “Agency”, the words “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

In paragraph 4, after the word “Agency”, the words “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

In paragraph 8, after the words: “Minister”, the words: “or the competent authority of an urban/municipal administration in the case of thermal energy” shall be added.

Article 18

In Article 26, paragraph 4, after the words: “The agreement on entrustment of energy-related activities of general interest” the following words shall be added: “or a public agreement in accordance with the law regulating public private partnerships.”

Article 19

In Article 27, paragraph 2, the words: “as well as” shall be deleted, and after the words: “other regulations” the words: “as well as the occurrence of other circumstances related to the fulfilment of the conditions on the basis of which the license is issued.” shall be added.

After paragraph 2, a new paragraph 3 shall be added, which reads:

“In case the energy entity does not submit the application for change of the decision for the reasons stated in paragraph 2 hereof, the Agency shall initiate the procedure of changing the decision *ex officio*.”

Former paragraphs 3-7 now become paragraphs 4-8.

In former paragraph 3, which now becomes paragraph 4, after the word: “Agency”, the words: “i.e. the competent body of the city, or municipal administration body in the case of thermal energy” shall be added.

In former paragraph 4, which now becomes paragraph 5, the words: “referred to in paragraph 3 of this Article” shall be replaced by the words: “referred to in paragraph 4 of this Article”, and after the words: “to the Minister” the words: “or to the city or municipal council in the case of thermal energy” shall be added.

Former paragraph 5, which now becomes paragraph 6, after the words: “Ministries”, the words: “i.e. the city or municipal council in the case of thermal energy” shall be added.

Former paragraph 6 now becomes paragraph 7.

Former paragraph 7, which now becomes paragraph 8, shall be amended to read as follows:

“The Ministry shall prescribe more detailed conditions for issuing, amending and revoking the license, the content of the application for license, the content of the request for issuing the report of the competent inspector referred to in Article 22, paragraph 1, items 3) and 4) of this Law, and evidence attached to the request for issuing the report, as well as the manner of maintaining the register of issued and revoked licenses.”

Article 20

Article 28, paragraph 2 shall be amended to read as follows:

“The approval for storage and supply for own needs shall be issued provided that storage facilities and own supply stations meet the conditions and requirements established by technical regulations, regulations on the protection against fire and explosion, as well as regulations on environmental protection and that they are not used for conducting the energy activities for which the license is issued.”.

In paragraph 4, the words: “report of the competent inspector” shall be replaced by the words: “records from the inspection conducted by the competent inspector wherein stated that no illegalities were found”.

Article 21

In Article 35, paragraph 3, the words: “paragraph 1” shall be replaced by the words: “paragraphs 1 and 2”.

After paragraph 11, paragraphs 12-14 shall be added to read:

“The holder of the energy permit, within the validity period of the energy permit issued for the construction of facilities for the production of electricity, may submit the application for the amendment of the energy permit.

The application referred to in paragraph 1 may be submitted until the issuance of the construction permit for the entire or part of the facility if such part is a functional unit, and exceptionally, if the construction permit provides for the possibility of phase-like construction, the application referred to in paragraph 1 may be submitted for the works on that phase no later than the start of such works.

The conditions for amending the energy permit are prescribed by Article 33 of this Law.”.

Article 22

After Article 35, the name of the Title, the names of Articles and Articles 35a-35h shall be added to read:

“III.a IMPLEMENTATION OF THE PROCEDURE REGARDING THE ENERGY LICENSE, LICENSE FOR CONDUCTING ENERGY ACTIVITY AND APPROVAL FOR THE STORAGE AND SUPPLY FOR OWN NEEDS

**Actions of the Ministry, i.e. the Agency**

Article 35a

During the implementation of the procedure related to the energy permit, license for conducting energy activities and consent for storage and supply for own needs, the Ministry, i.e. the Agency (hereinafter: the competent authority), shall check for the fulfilment of the following conditions:

1) competence to act upon the application;

2) whether the applicant is a person who, in accordance with this Law, may be the applicant;

3) whether the application contains all prescribed data;

4) whether the application is supported by all documentation prescribed by this Law and bylaws adopted on the basis of this Law;

5) whether the application is supported by proof of payment of the prescribed fee;

6) whether the conditions prescribed by this Law and bylaws issued on the basis of this Law for the adoption of the application have been met.

The competent authority shall provide data necessary for the implementation of the procedures referred to in paragraph 1 of this Article, from the official records via the service line of authority in accordance with the regulations governing electronic administration, without paying a fee.

The data obtained in the way referred to in paragraph 2 of this Article shall be considered reliable, and shall have the same probative value as certified extracts from those records.

State administration bodies, special organisations and holders of public authorisations shall submit to the competent authority, upon request, within three days from the day of submitting the request, all data maintained in the official records that are of importance for conducting the procedures referred to in paragraph 1 of this Article.

The procedures referred to in paragraph 1 of this Article shall be carried out in the procedure of direct decision-making in terms of the law which regulates general administrative procedure.

**Acting upon the application**

Article 35b

Upon the application for issuance, i.e. amendment of the administrative act, the competent authority shall issue a decision in the form of an electronic document within the deadlines prescribed by this Law.

The application shall be considered irregular if it has shortcomings that prevent the competent authority from acting upon it, if it is not understandable or complete.

If the Ministry finds that the application is irregular, it shall reject the application by the means of a decision in which it states all the shortcomings, i.e. the reasons for rejection, which should be eliminated to enable the authority to act in accordance with the application.

If the applicant within 30 days from the date of publication of the decision referred to in paragraph 3 of this Article, submits a new application and acts in accordance with the decision referred to in paragraph 3 of this Article, it shall be considered that the rejected request referred to in paragraph 3 of this Article was regular from the beginning.

If the applicant within 30 days from the date of publication of the decision referred to in paragraph 3 of this Article, submits a new application with reference to the number of the decision rejecting the previous request and eliminates all identified deficiencies, they shall not re-submit documentation that was not deficient and shall pay half the amount of the administrative fee.

**Delivery method**

Article 35c

Submissions and documents shall be submitted electronically, in accordance with the law governing e-government.

Notwithstanding paragraph 1 of this Article, the applicant shall lodge the appeal and other legal remedies, submit the evidence attached thereto, as well as documents and submissions containing classified information and marked with the level of secrecy in accordance with the regulations governing data secrecy, in the hard form (paper documents).

The Ministry responsible for energy shall more closely regulate the manner of exchange of documents and submissions referred to in paragraph 1 of this Article.

**The form of documents to be submitted**

Article 35d

Documents submitted electronically pursuant to Article 35f of this Law shall be submitted in the form of electronic document compiled in accordance with the law governing the electronic document.

Notwithstanding paragraph 1 of this Article, if the payment of the fee has not been made electronically, proof of payment of the fee may also be submitted in electronic format, which is not signed by a qualified electronic signature.

**Delivery of decisions**

Article 35e

The decision of the competent authority shall be delivered to the applicant in electronic form, via unique electronic mailbox, in accordance with the law governing electronic administration, if the delivery is made through the e-Government portal.

Notwithstanding paragraph 1 of this Article, the decision shall be delivered as a printed copy of the electronic document to a person who does not have a unique electronic mailbox, whereby such printed documents shall be certified in accordance with the law governing electronic business, by registered mail through the postal operator.

On the day of dispatch of the decision in accordance with paragraphs 1 and 2 of this Article, the competent authority shall publish the decision on its website.

If the delivery by registered mail referred to in paragraph 2 of this Article could not be made because the applicant was unavailable at the specified address at the time of delivery, the deliverer shall make a note and leave a notice to the recipient at the place where the document was to be delivered, whereat such notice shall contain personal name of the recipient, data by which the document is identified, as well as the date when the notice was left, with the information to the recipient to pick up the document at the specified address of the deliverer or postal operator, within 15 days from the day of the attempted delivery.

The notification to the recipient referred to in paragraph 4 of this Article shall also contain information on the day of publication of the decision on the website of the competent authority, legal instruction to the recipient that in case of non-receipt of the document within the deadline, the decision shall be deemed delivered within 30 days from the publication thereof on the competent authority website.

In the case referred to in paragraph 4 of this Article, if the party does not pick up the shipment within the set deadline, the deliverer shall return it together with a note on the reasons for non-delivery.

Delivery to the recipient shall be considered completed:

1) on the day of receipt of the decision in the manner prescribed by paragraph 1 or paragraph 2 of this Article;

2) upon the expiration of a period of 30 days from the day of publication of the decision on the competent authority website if the delivery was not made in accordance with paragraphs 1, 2 and 4 of this Article.

If the address of residence, i.e. residence, i.e. the seat of the recipient is unknown, delivery to that party shall be considered made on the day of expiration of the period of 30 days from the day of publishing the decision on the competent authority website.

At the request of the applicant, the competent authority shall without delay issue a copy of the decision to that applicant at the premises of the competent authority, but such delivery has no effect on the calculation of deadlines related to delivery.

**Confirmation of the delivery**

Article 35f

When the decision is delivered electronically, proper delivery is proven by an electronic confirmation of receipt of the document (delivery note).

**Electronic bulletin board of the competent authority**

Article 35g

The competent authority shall establish and maintain a notice board on its website, which serves for the purposes of public communication, i.e. publication of decisions in accordance with Article 35e of this Law, as well as other acts issued by the competent authority.

**Similar application of regulations**

Article 35h

The law governing the general administrative procedure shall apply to the procedures related to the energy permit, license for conducting energy activities and approval for the storage and supply for own needs, which are not specifically regulated by this Law.”

Article 23

After Article 37, a new Article title and Article 37a shall be added to read as follows:

“**Strategic Energy Projects**

Article 37a

Strategic energy projects concern the following fields:

1) electricity:

(1) power lines of the voltage level of 220 kV or higher,

(2) facilities for electricity storage,

(3) equipment or installations important for a safe, reliable and efficient operation of previously mentioned systems,

(4) equipment or installations in the transmission and distribution system which provide a two-way digital communication in real time;

2) gas:

(1) gas pipelines for the transport of natural gas, biogas and low-carbon gas which are parts of the transport system,

(2) underground natural gas storages connected to gas pipelines referred to under (1),

(3) plants for receipt, storage, regasification or decompression of liquefied natural gas or compressed natural gas,

(4) equipment or installations in the transmission and distribution systems, which provide two-way digital communication in real time, or as close as possible to real time, interactive and smart monitoring and management of production, transmission, distribution and consumption of electricity within the electricity system, in terms of electricity system development which cost-effectively consolidate the behaviour and actions of all entities connected to it (producers, consumers and those covering both functions), in order to ensure a cost-effective and sustainable electricity system with low level of losses and a high level of security and quality of supply and a high level of safety;

3) oil:

(1) oil pipelines for transport of crude oil;

(2) pumping stations and storage facilities needed for the operations of the oil pipelines;

(3) every equipment or installation which is important for a safe, reliable and efficient operation of the above system, including protection, supervision and management systems, as well as two-way flow devices;

4) priority thematic area to be developed: introduction of smart networks.

The Government shall more closely prescribe the conditions and manner of promoting a project into the strategic one, and obligations and activities of competent institutions regarding monitoring the implementation of strategic energy projects, as well as the procedure for preparation and implementation of strategic investment projects in the field of energy defined as projects of the interest for the Energy Community (PIEC) and projects of common interest (PCI) by a decision of the Ministerial Council of the Energy Community in accordance with the obligations of the Republic of Serbia taken from ratified international agreements.”

Article 24

In Article 48, Item 1), after the words: “safe”, the words: “and reliable” shall be added.

In item 3), the words: “energy customers” shall be replaced by the words: “electricity and natural gas customers”.

Article 25

In Article 49, paragraph 1, after the words: “license withdrawal”, the following words shall be added: “for all energy activities other than activities in the area of thermal energy.”

Article 26

In Article 50, paragraph 1, after item 5), the item 5a) shall be added to read as follows:

“5a) determination of prices of auxiliary services;”

In item 12), the full-stop at the end of the sentence shall be replaced by semicolon, and items 13) and 14) shall be added to read:

(13) investment and risk assessment for strategic infrastructure projects in the field of electricity, natural gas and oil;

14) to determine the costs, the manner of reimbursement and distribution of costs between the nominated market operator and the transmission system operator, and to approve these costs if they are justified.”.

After paragraph 1, new paragraph 2 shall be added, which reads:

“The Agency shall, when determining the prices defined in paragraph 1, items 6) and 7) of this Article, assess and approve the costs that may arise from the investment in the system for transport or distribution of natural gas, which are needed to take over low carbon gases with the aim of combating climate change, in accordance with the obligations arising from ratified international agreements.”

Former paragraphs 2 and 3 now become paragraphs 3 and 4.

Article 27

In Article 51, paragraph 1, item 2) shall be amended to read as follows:

“2) on monitoring technical and commercial indicators and regulating the supply quality and supply of electricity and natural gas;”.

After item 2), item 2a) shall be added, which reads:

“2a) on the prevention of abuses in the electricity and natural gas markets.”.

After paragraph 1, new paragraphs 2 and 3 shall be added, which read:

“The rules referred to in paragraph 1, item 2a) of this Article shall regulate in detail the conditions for registration of participants in the wholesale energy market, conditions for publication of sensitive information, prohibition of trading in sensitive information, prohibition of market manipulation, type, content, form, manner and deadlines for creation and publication of data, data protection, professional secrecy and operational responsibility, the obligation of persons who professionally regulate transactions, in accordance with the obligations of the Republic of Serbia taken through ratified international agreements.

The Agency shall conduct the procedures and adopt acts in accordance with the rules referred to in paragraph 1, item 2a) of this Article, and energy entities shall be obliged to act in accordance with those rules.”.

In former paragraph 2, which now becomes paragraph 4, in item 3), the full stop at the end shall be replaced by semicolon.

After item 3), item 4) shall be added, which reads:

“4) instructions for the preparation of network rules harmonised with the obligations of the Republic of Serbia from ratified international agreements.".

Former paragraph 3 now becomes paragraph 5.

In former paragraph 4, which now becomes paragraph 6, the words: “items 1) and 2” shall be deleted.

Article 28

In Article 52, item 2) shall be amended to read as follows:

“2) amount of compensation to the final customer on the basis of a deviation from the prescribed quality of electricity and natural gas delivery and supply, in accordance with regulations referred to in Article 51 paragraph 1 item 2).”.

Article 29

In Article 53, item 2), the word: “cross-border” shall be deleted, and after the words: “transmission capacities”, the words: “between trade zones;” shall be added.

After item 3), item 3a) shall be added, which reads:

“3a) the rules for connecting the facility to the transmission system;”.

In item 13), the words: “and by the plan for taking over metering devices, metering switchboards, i.e. connecting lines, installations and equipment in the metering switchboard and other devices in the facilities of the existing customers, i.e. producers” shall be deleted.

After item 13), item 13a) shall be added, which reads:

“13a) the plan for taking over metering devices, metering switchboards, i.e. connecting lines, installations and equipment in the metering switchboard and other devices in the facilities of the existing customers, i.e. producers.”

In item 14) after the words: “natural gas”, the words: “with the investment plan;” shall be added.

After item 14), item 14a) shall be added, which reads:

“14a) a plan for the development of a natural gas distribution system, with the investment plan;”.

In item 15), the words: “and oil derivatives by product pipelines” shall be replaced by the words: “with the investment plan”.

After item 15), item 15a) shall be added, which reads:

“15a) the plan for the development of a system for the transport of oil derivatives through product pipelines, with the investment plan;”.

Item 17) shall be deleted.

In item 18) the full stop at the end of the sentence shall be replaced by a semicolon and items 19), 20) and 21) shall be added to read:

(19) the methodology adopted by the entity to which the exemption from the application of regulated prices of access to the electricity transmission system, natural gas transport system and natural gas storage system has been approved by the act referred to in Articles 167 and 288 of this Law;

20) the act of the natural gas distribution system operator which determines the amount of costs for connection by the means of standard connectors in accordance with the methodology referred to in Article 50, paragraph 1, item 12) of this Law;

21) rules for the suspension and resumption of market activities.”.

After paragraph 1, paragraph 2 shall be added, which reads:

“The system development plan referred to in paragraph 1, items 14), 14a), 15) and 15a) shall be adopted with the investment plan, whereby the investment plan shall be adopted every year for a period of three years.”

Article 30

Article 54, paragraph 3, item 2) shall be amended to read as follows:

“2) consider and act, upon submissions of private and legal entities in connection with non-fulfilment of obligations of system operators, wholesale electricity suppliers, natural gas wholesale suppliers, electricity suppliers, natural gas suppliers and public natural gas suppliers in accordance with this Law.”.

 Article 31

In Article 56, item 7), the comma and words “certification procedure” shall be deleted.

After item 18), items 18a) – 18e) shall be added to read as follows:

“18a) monitor the activities related to already approved investments plans of the system operator;

18b) assess the cost eligibility and check if the methodology referred to in Article 53, item 20) of this Law has been properly applied in the procedure of determination of the price of access to the system for which it has granted the exemption referred to in Articles 167 and 288 of this Law, and confirm to the system operator if they are properly determined prior to the beginning of the application, and, if not, demands for the shortcomings to be eliminated;

18c) approve the restrictions defined in Article 117 of this Law;

18d) decide on the request for application of derogations in the accession procedure and maintains the register of all derogations;

18e) act in accordance with the powers prescribed by the law governing renewable energy sources, as well as energy efficiency;”.

Article 32

In Article 57, paragraph 1, after item 3), item 3a) shall be added, which reads:

“3a) the nominated market operator;”.

In point 4) the word: “cross-border” shall be deleted, and after the word: “capacity” the words: “between trading zones” shall be added.

After item 4), item 4a) shall be added, which reads:

“4a) the application of rules for the allocation of cross-border transport capacity in cooperation with the regulatory bodies of other states;”.

Article 33

In Article 58, paragraphs 1 and 2, after the words: “wholesale electricity supplier”, the following words shall be added: “or natural gas supplier”.

Article 34

 In Article 59, paragraph 3, after the words: “wholesale electricity supplier”, the following words shall be added: “or natural gas supplier”.

Article 35

In Article 62, paragraph 1 shall be amended to read as follows:

“The funds for the Agency’s operation shall be provided from the revenues recorded by the Agency pursuant to this Law, namely: on the basis of performing regulatory activities from a part of regulated revenues from system access determined by the methodologies under Article 50, paragraph 1, items 1), 2), 6), 7), 8) and 10) and Article 53, item 19) hereof, on the basis of the issuance of licenses for performing energy-related activities under Article 20, paragraph 1 hereof, as well as other revenues recorded in performing activities within the Agency's competences pursuant to the law.”

Article 36

 In Article 64, paragraph 4, item 5), the word “cross-border” shall be deleted, and after the word “capacities”, the words “between commercial zones” shall be added.

Article 37

 Chapter V RENEWABLE ENERGY SOURCES and Articles 65 – 87 shall be deleted.

Article 38

 In Article 89, paragraph 7, after the words: “of this Law”, the words: “as well as approvals of regulated prices under Article 88, paragraph 2” shall be deleted.

Article 39

After Article 93, the name of the Article and Article 93a shall be added, which read:

**“Network Rules**

Article 93a

The Government shall adopt the acts on network rules relating to:

1. connection of production units to the network;
2. connection of customer facilities to the network;
3. connection of high voltage DC systems to the network;
4. access to the natural gas transport network on the national, regional and European natural gas market, in connection with:
5. calculation of capacities, distribution of capacities and congestion management procedures,
6. data and technical information published by the natural gas transport system operator,
7. by mutual cooperation of transmission system operators and rules for data exchange for the operation of interconnected gas transport systems,
8. balancing rules, including rules on nomination procedures, imbalance fees, settlement processes related to daily imbalance fees and operational balancing between gas transport system operators,
9. rules relating to harmonised tariffs for the transport of natural gas.

The acts referred to in paragraph 1 of this Article shall be adopted at the proposal of the Ministry, and on the basis of the submitted harmonised acts of the electricity transmission or distribution system operator, i.e. natural gas transport system operator.

System operators shall prepare the acts referred to in paragraph 2 of this Article in accordance with the instructions referred to in Article 51, paragraph 4, item 4), and shall obtain the consent of the Agency on compliance.

The Agency shall adjust the instructions referred to in Article 51, paragraph 4, item 4) in accordance with the amendments to the obligations of the Republic of Serbia arising from ratified international agreements.”

 Article 40

In Article 94, paragraph 2, the words: “Producer of electricity” shall be replaced by the word: “Producer”.

In paragraph 3, item 6) shall be amended to read as follows:

6) make it possible for competent system operators to verify the compliance of technical characteristics of their facilities and operational procedures with the issued act on connection, and / or projected technical characteristics for the existing power plants for which there is no act on connection, agreed ancillary services and rules on the transmission or distribution system operation;”

After item 7), item 7a) shall be added, which reads:

“7a) sign a contract on access with the system operator to whose system is connected;”.

In item 11) after the words: “environmental protection” the words: “as well as other conditions prescribed by special laws;” shall be added.

After item 12), item 12a) shall be added, which reads:

“12a) submits to the operator to whose system is connected the data on the planned production on hourly basis for the following month by the 15th day of the current month.”.

Article 41

In Article 108, item 6) after the words: “to the transmission system”, the words: “and the missing infrastructure defined in the connection process;” shall be added.

In item 10) the words: “connecting and” shall be deleted.

After item 13) the full stop at the end of the sentence shall be replaced by semicolon and items 14) -17) shall be added to read:

14) cooperation with regional coordination centres;

15) participation in the establishment of adequacy assessment at the national, regional and European levels;

16) digitalisation of the transmission system;

17) data management, including the development of data management systems, security and data protection, in accordance with the regulations governing information security.”.

Article 42

 In Article 109, paragraph 1, item 8) the word “cross-border” shall be deleted, and after the word “capacities”, the words “between commercial zones” shall be added.

In item 18) after the word “every”, the word: “second” shall be added.

In point 24) the words: "and connection" shall be deleted.

After item 25), item 25a) shall be added, which reads:

"25a) adopt rules for the connection of the facility to the transmission system;".

Item 26) shall be amended to read as follows:

"26) checks the compliance of technical characteristics of transmission system user facilities and their operating procedures with the issued connection act, i.e. projected technical characteristics for existing transmission system user facilities for which there is no connection act, contracted ancillary services and rules for connection of transmission system facilities ; ".

Items 30) and 31) shall be deleted.

Item 37) shall be amended to read as follows:

"37) contribute to security of supply through adequate transmission capacity;".

After item 46), items 46a) - 46d) shall be added to read as follows:

46a) depending on the extent of deviation from the prescribed quality of delivery, pay a compensation to the final customer in accordance with the rules under Article 215 of the Law; ”.

46b) adopt rules for the suspension and resumption of market activities;

46c) measures to be taken in case of disruption of the power system, as well as due to works on maintenance and expansion of the power system;

46g) act in accordance with the duties prescribed by the law governing renewable energy sources, as well as energy efficiency; ".

In paragraph 2, the words: "every year" shall be deleted.

In Article 109, paragraph 1, item 8) the word “cross-border” shall be deleted, and after the word “capacities”, the words “between commercial zones” shall be added.

In item 18) after the word “every”, the word: “second” shall be added.

 In item 24) the words: “and connection” shall be deleted.

After item 25), item 25a) shall be added, which reads:

“25a) adopt rules for the connection of the facility to the transmission system;”.

Item 26) shall be amended to read as follows:

“26) check the compliance of technical characteristics of the transmission system users’ facilities and their operating procedures with the issued act on the connection, i.e. designed technical characteristics for the existing transmission system users’ facilities for which there is no an act on the connection, contracted ancillary services and rules for the connection of facilities to the transmission system;”.

Items 30) and 31) shall be deleted.

 Item 37) shall be amended to read:

“37) contribute to the security of supply through adequate transmission capacity;”.

After item 46), items 46a) – 46d) shall be added to read as follows:

46a) depending on the extent of deviation from the prescribed quality of delivery, pay a compensation to the final customer in accordance with the rules under Article 215 of the Law;”.

46b) adopt rules for the suspension and resumption of market activities;

46c) measures to be taken in case of disturbances in the operation of the electricity system, as well as due to works on maintenance and expansion of the power system;

46g) act in accordance with the duties prescribed by the law governing renewable energy sources, as well as energy efficiency;”.

In paragraph 2, the words “every year” shall be deleted.

After paragraph 2, a new paragraph 3 shall be added to read as follows:

“For the purposes of balancing services under paragraph 1, item 22) hereof, the transmission system operators shall acquire a power reserve in a manner prescribed for energy supply, or by applying an exemption for the purchase of energy within the meaning of regulations governing public procurement.”

Article 43

In Article 111, paragraph 1, after the words: “every”, the word: “second” shall be added.

Article 44

In Article 115, paragraph 2, the words: “Ministry and” shall be deleted.

Article 45

In Article 116, paragraph 1, item 3) shall be deleted.

In item 14) after the words: "devices and equipment" the words: "procedures for testing and control of measuring equipment, commissioning of measuring equipment, measuring data, use of measuring data," shall be added.

After point 14) a point shall be added. 14a) and 14b) which read:

(14a) frequency and manner of control of correctness of metering point, measuring and other devices in the function of measurement, content of control records, manner of determining unauthorized consumption;

14b) measures to be taken in case of disruption of the power system, as well as due to works on maintenance and expansion of the power system; ".

Article 46

Articles 117 and 118 shall be amended to read as follows:

“Article 117

The transmission system operator shall establish and publish a transparent, efficient and non-discriminatory procedure for the connection of facilities to the transmission system and a part of the distribution system managed by the transmission system operator (hereinafter: the Procedure).

The Procedure shall specifically regulate:

1) sequence of activities of the transmission system operator, distribution system operator and the entity applying for the connection, and deadlines in the process of connecting the facility;

2) relations between the system operator and the entity applying for the connection in the procedure of exercising the right to the connection and construction of the infrastructure necessary for connection;

3) conditions and manner of concluding the contract in the connection procedure;

4) procedures in case of submitting the application for increase or decrease of the approved power, i.e. changes in the facility of the user of the transmission system that affect technical requirements regulated by the rules for connection of facilities to the transmission system, as well as in case of reconnection following the disconnection;

5) other activities of importance for the connection.

The transmission system operator shall draw up rules for the connection of facilities to the transmission system, which shall contain in particular:

1) technical requirements for the connection to the transmission system and a part of the distribution system managed by the transmission system operator;

2) standard connection methods;

3) position of the metering point with the necessary metering equipment;

4) criteria for the selection of the accuracy class of the metering device and characteristics of the accompanying devices and equipment, depending on the position of the metering point in the system and the type of system user;

5) manner of communication between the metering devices with the centralised system electricity metering;

6) conditions, content and manner of issuing the consent for setting under voltage, temporary connection and permanent connection, as well as the manner of proving the fulfilment of these conditions.

The Agency shall give its consent to the Procedure referred to in paragraph 1 of this Article and the rules referred to in paragraph 3 of this Article.

The Procedure referred to in paragraph 1 of this Article and the rules referred to in paragraph 3 of this Article shall be published on the website of the transmission system operator and of the Agency.

The transmission system operator cannot refuse to connect facilities on the basis of possible future constraints in the existing transmission capacities, such as congestion in remote parts of the transmission network.

The transmission system operator shall provide the applicant for the connection with the necessary information on possible future constraints in the existing transmission capacities.

The transmission system operator cannot refuse the connection of facilities on the basis of additional costs due to the construction of the missing infrastructure, i.e. the extension of the capacities of the transmission network elements in the immediate vicinity of the connection point.

The provisions of paragraphs 6 and 8 of this Article shall not question the possibility of the transmission system operator to provide the applicant for connection with the possibility of limited approved power, or to offer them a connection subject to operational restrictions provided that such restriction is approved by the Agency.

In the event that the applicant for connection chooses a connection that is subject to operational restrictions, the transmission system operator shall not be subject to the obligation to pay financial compensation for the implemented restrictions.

Article 118

The transmission system operator shall be the investor in the construction of the connection and the missing infrastructure and, as a rule, shall build the connection to the transmission system at the expense of the applicant for connection. Exceptionally, in the case of connection of the facility of the distribution system operator, the costs of construction of the connection, which consist of 110 kV lines and installation of meters, as well as the missing transmission system infrastructure, shall be borne by the transmission system operator.

At the request of the applicant for connection, the transmission system operator shall issue authorisation to the applicant for connection, except in case of connection of the facility of the distribution system operator, to build the connection on behalf of the system operator, i.e. the missing infrastructure at their own expense.

In the event that the applicant for connection builds the missing infrastructure, the restrictions referred to in Article 117, paragraph 9 of this Law shall not apply.

In the case referred to in paragraph 2 of this Article, for the connection and missing infrastructure, the applicant for connection shall obtain documentation on the name of the transmission system operator, in accordance with the law governing the building construction.

In the case referred to in paragraph 2 of this Article, the applicant for connection shall be charged the costs of connection to the system in accordance with the Methodology for determining the costs of connection to the transmission and distribution systems.

The rights and obligations of the transmission system operator and the applicant for connection shall be regulated by contracts, as follows:

1) on the preparation of the connection study for the facility;

2) on the connection of the facility.

Within the procedure of obtaining location conditions for the facility in accordance with the regulations governing the building construction, the transmission system operator shall submit the conditions for design and connection, and on the basis of a valid connection study for the facility.

If the construction of the transmission electricity network referred to in Article 97, paragraph 2 and the connection referred to in paragraph 1 of this Article is not provided for in a valid planning document or the planning document does not exist, urbanistic project may be prepared for obtaining location conditions for these facilities, without amending or adopting the planning document, except for facilities in a protected area.”

Article 47

 In Article 119, paragraph 1, the words: “of the producer or buyer of electricity” shall be replaced by the words: “of the user of the transmission system”.

Paragraph 2 shall be amended to read as follows:

“The approval referred to in paragraph 1 of this Article shall also be issued in case of applications for change of approved power or changes in the transmission system users’ facilities that affect technical requirements regulated by the rules for connection of facilities to the transmission system, as well as reconnection following the disconnection.”

Paragraph 3 shall be deleted.

Former paragraphs 4 and 5 now become paragraphs 3 and 4.

In former paragraph 4, which now becomes paragraph 3, the words: “of the producer or buyer of electricity” shall be replaced by the words: “of the user of the transmission system”.

In former paragraph 5, which now becomes paragraph 4, the comma and the words: “as well as the conditions for connecting and separating the installations, i.e. metering points” shall be deleted.

Article 48

Article 120, paragraph 1 shall be amended to read as follows:

“The approval for connection of a facility shall be issued in a form of written decision in administrative procedure at the request of the person whose facility is being connected, and upon cumulative fulfilment of the following conditions:

1) obtaining the construction permit for the construction of the facility to be connected;

2) implementation of the contract on preparation of the connection study for the facility;

3) signing the contract on the connection of the facility.”

In paragraph 3, the words: “and prior consent for the issuance of approval for the connection” shall be replaced by the words: “in accordance with the procedure referred to in Article 117 of this Law.”

Paragraph 4 shall be amended to read as follows:

“The system operator is obliged to decide on the request for connection of the facility within 45 days from the day of receipt of the written request.”

Article 49

 Article 121 shall be amended to read as follows:

“Article 121

The approval for the connection of the facility to the transmission system shall contain in particular: place of connection to the system, method and technical conditions of the connection, connection costs, required tests of compliance with the rules for connection of the facility of the transmission system user, installed capacity, approved power at the connection place, energy handing over point and power metering, conditions for issuing approvals for setting under voltage, approvals for temporary connection and approvals for permanent connection, deadline for connection of the facility and the missing infrastructure, if envisaged, i.e. operational restrictions referred to in Article 117 of this Law and other elements in compliance with regulations.

Technical and other conditions of connection to the transmission system shall be determined in accordance with this Law, regulation referred to in Article 214 of this Law, network rules for connection, procedure from Article 117 of this Law, rules for connection of facilities to the transmission system, technical and other regulations.”

Article 50

 Art. 123, 124 and 125 shall be amended to read as follows:

“Article 123

The transmission system operator shall connect the facility to the transmission system within 15 days from the day when the following conditions have been met:

1) conditions from the approval for connection, i.e. connection agreement;

2) the usage permits have been obtained for the facility and connection in case of permanent connection, and for temporary connection the act approving the commissioning;

3) the applicant has submitted to the system operator the supply contract, without commercial data, or a contract that enables them to trade on the organised electricity market;

4) the balance responsibility and access to the system have been regulated for the place of handover;

5) the contract on the exploitation of the facility has been concluded.

The regulation on the conditions of delivery and supply of electricity shall regulate in more detail the conditions and the manner of proving the fulfilment of the conditions referred to in paragraph 1 of this Article.

The connection of the facility of the user of transmission system shall be made on the basis of the consent for setting it under voltage, the consent for temporary connection and the consent for permanent connection.

If the transmission system operator does not connect the facility within the period referred to in paragraph 1 of this Article, the competent inspector, at the request of the applicant for connection, shall check, within 15 days from the date of submission of the request, compliance with the conditions for connection referred to in paragraph 1 of this Article and if they find that the conditions are met, they shall order the transmission system operator to connect the facility within two working days.

Article 124

In case of connection of the facility to the distribution system managed by the transmission system operator, the connection procedure shall be carried out by the transmission system operator in cooperation with the distribution system operator, in accordance with the procedure referred to in Article 117 of this Law.

In case of connection to the distribution system managed by the transmission system operator:

1) the distribution system operator shall be the investor and, as a rule, shall build a connection that is in distribution facilities, and shall, at the request of the applicant for connection, issue the authorisation to the applicant to build the connection themselves;

2) the contract on the preparation of the connection study for the facility shall be concluded by and between the transmission system operator and the applicant for connection;

3) the contract on connection of the facility shall be concluded by and between the transmission system operator, the distribution system operator and the applicant for connection.

The distribution system operator shall participate in the preparation of the connection study referred to in paragraph 2 of this Article.

Article 125

In case of the need for connection of facilities for which trial operation has been approved in accordance with a special law, the approval for temporary connection of facilities shall be issued.

The issuance of a permit for temporary connection shall be performed under the conditions, in the manner, and according to the procedure prescribed for the issuance of the permit for connection of facilities.”

Article 51

Article 126, paragraph 1 shall be amended to read as follows:

“The place of delivery of electricity, i.e. the place of taking over the electricity shall be the place where installations of the system users’ facilities and the system to which the facility is connected share the border.”

In paragraph 2, the words: “energy entity and customer, i.e. producer” shall be replaced by the words: “system operator and system user”, and the words: “and natural gas” shall be deleted.

Article 52

After Article 126, the name of the Article and Article 126a shall be added, which read:

“Cooperation with regional coordination centres

Article 126a

The transmission system operator and the regional coordination centres shall cooperate on the following issues of regional importance:

1) development of a common network model;

2) preparation of safety analyses;

3) capacity calculation between trading and congestion management zones;

4) forecasting the adequacy of the system and preparing risk reduction activities;

5) coordinating the planning of disconnections;

6) assessment of the compliance of defence plans and plans for the re-establishment of transmission systems;

7) coordination and optimisation of system re-establishment after disintegration;

8) preparation of operational analyses and reports;

9) regional determination of reserve capacities;

10) facilitation of regional procurement of reserve capacities for balancing;

11) support to transmission system operators in optimising mutual claims;

12) identification of regional crisis situations;

13) calculation of the value of the maximum input capacity for the development of capacitive mechanisms;

14) determining the need for new transmission capacities.

The issues referred to in paragraph 1 of this Article shall be performed on the basis of the relevant regulations of the European Union and the methodology of the European Association of Transmission System Operators, in accordance with the law ratifying the Treaty Establishing the Energy Community.”

Article 53

In Article 128, paragraph 1, item 2) the word: “managerial” shall be deleted, and after the word: “centres” the word: “management” shall be added.

Item 3) shall be amended to read as follows:

“3) telecommunication infrastructure in electricity distribution facilities of 110 kV, 35 kV, 20 kV, 10 kV and 0.4 kV, telecommunication infrastructure in electricity facilities of transmission system operators, producers, customers, as well as telecommunication infrastructure in non-energy facilities necessary for performing operations distribution system management;”

Article 54

In Article 132, paragraph 7, the words: “of giving consent” shall be replaced by the words: “of reviewing and giving an opinion”.

After paragraph 10, new paragraphs 11, 12 and 13 shall be added, which read:

“Following the submission of the report to the Agency, the distribution system operator may submit reasoned comments and/or remarks on the report to the Agency within 15 days, and the Agency may also request the entity referred to in paragraph 2 of this Article within 15 days of receiving the report to provide more information regarding the measures listed in the programme of compliance within the next 15 days.

The Agency shall consider the suggestions and comments of the distribution system operator, as well as additional information of the person referred to in paragraph 2 of this Article, and shall give its reasoned opinion to the report within 60 days from the day of its receipt.

The distribution system operator shall publish the annual report on compliance on their website, together with a positive or negative opinion of the Agency.”

Former paragraph 11 shall be deleted.

Former paragraph 12-14 now become 14-16.

Article 55

In Article 136, paragraph 1, item 2), the words: “and related entities within the vertically integrated enterprise” shall be deleted.

In point 9) after the word: “each” the word: “other” shall be added.

In item 11) the words: “every year” shall be deleted.

In item 15) the words: “and connecting” shall be deleted.

Items 35) and 37) shall be deleted.

In item 40) the word: “and” at the end of the sentence shall be deleted and a semicolon added, as well as item 40a), which reads:

“40a) act in accordance with duties prescribed by the law governing renewable energy sources, as well as energy efficiency;”

Paragraph 2 shall be amended to read as follows:

“The development plan referred to in paragraph 1, item 9) of this Article shall be submitted by the electricity distribution system operator to the Agency every other year for the approval.”

After paragraph 2, new paragraph 3 shall be added, which reads:

“The plan of investments in the distribution system referred to in paragraph 1, item 10) of this Article shall be submitted by the electricity distribution system operator to the Agency every year for the approval.”

Former paragraphs 3-6 now become 4-7.

Article 56

In Article 138, paragraph 2, the words: “to the Ministry and” shall be deleted.

Article 57

Article 139 shall be amended to read as follows:

“Article 139

The rules on the operation of the electricity distribution system shall regulate the following:

1) planning for the distribution system development, including the content of the plan, the method of planning and the content of the investment plan;

2) conditions for safe and reliable operation of the distribution system and obligations of the distribution system user;

3) consumption management;

4) technical conditions for the connection to the distribution system, technical and other conditions for reliable and safe operation of the distribution system and reliable and safe takeover of electricity from producers connected to the distribution system and from other systems, as well as reliable delivery of electricity from the distribution system;

5) the content of the contract on operation of the facility concluded with the users of the distribution system and the operator of the closed distribution system;

6) use and maintenance of facilities;

7) parameters and manner of electricity quality control;

8) planning the operation of the distribution system;

9) monitoring the production plan of producers connected to the distribution system;

10) operational procedures in emergencies, operational procedures and system management in normal conditions and in case of disturbances and disturbances on the electricity market;

11) work planning and distribution system management;

12) access to the distribution system for each category of distribution system users separately, the payment security instrument and the criteria for determining the amount and period for which it is requested;

13) metering procedure with defined necessary metering equipment, criteria for the selection of accuracy class of metering devices and characteristics of accompanying devices and equipment, depending on the position of the metering point in the system and the type of system user;

14) conditions and manner of metering of the delivered electricity, metering procedure with defined necessary metering equipment, criteria for selection of accuracy class of the metering device and characteristics of accompanying devices and equipment, metering data, use of metering data depending on the position of metering point in system and type of user system;

15) metering point, frequency and manner of control of the metering point, planning of controls, content of the control report;

16) the procedure and manner of determining unauthorised consumption, the content of the minutes on unauthorised consumption, the manner of calculating unauthorised consumption, the rights of final customers and the procedure for deciding upon the complaint;

17) method of determining the consumption profile;

18) the manner of determining the coefficient of reduction of the measured quantity to the calculated value;

19) obligations of users and operators of the distribution system in functional testing and commissioning of part of the distribution system in the facilities of producers and customers that affect the safe and reliable operation of the distribution system, as well as in testing the operation of protective and control devices after significant operating events or malfunctions distribution system;

20) method of voltage quality control;

21) training of the staff of the operator and users of the distribution system in the field of operational procedures, in order to ensure safe and reliable operation of the distribution system;

22) measures to be taken in case of general shortage, manner of taking measures, measures of saving and rational consumption of electricity and types of facilities by purpose to which the supply of electricity cannot be suspended in case of general shortage;

23) measures taken in case of disturbances in the power system operation, as well as those occurring due to works on maintenance and expansion of the power system;

24) other issues necessary for the operation of the distribution system and the market functioning.

The rules referred to in paragraph 1 of this Article shall be adopted by the electricity distribution system operator with the approval of the Agency.

The rules referred to in paragraph 1 of this Article shall be published on the website of the distribution system operator and of the Agency.

The Agency shall publish the decision on giving the approval to the rules referred to in paragraph 1 of this Article in the *Official Gazette of the Republic of Serbia*.”

Article 58

Article 140 shall be amended to read as follows:

“Article 140

The connection to the electricity distribution system shall be made in the consolidated procedure prescribed by the law which regulates building construction.

The application for issuing the conditions for facilities that are connected in the consolidated procedure shall be submitted by the competent authority that implements the consolidated procedure, and the conditions contain all data necessary for the preparation of technical documentation, works, capacities and conditions for connection, as well as the amount of the connection fee. If the competent authority is the Ministry or the authority of the autonomous province, as well as for the production facilities, the conditions for facilities are issued at the request of the investor.

The conditions referred to in paragraph 2 of this Article shall contain an additional condition for the construction of facility in the event that there is no built electricity infrastructure of the required capacity.

The conditions referred to in paragraph 2 of this Article shall be valid for two years from the day of issuance, i.e. until the expiry of the decision on the construction permit.

At the request of the body referred to in paragraph 2 of this Article, the distribution system operator within 15 days from the date of receipt of the request for connection, if the conditions prescribed by law are met, shall issue the approval which is enforceable on the day of the enactment thereof, and shall implement the connection to the distribution system.

The approval referred to in paragraph 5 of this Article shall also contain the final calculation for the connection to the distribution system.

Notwithstanding paragraph 1 of this Article, facilities that are in the function of production, transmission and distribution of electricity, facilities that are built or installed under other laws (mining, etc.), legalised facilities, construction sites and facilities under trial operation, as well as facilities connecting for the first time for which it is not necessary to obtain a construction permit, shall be connected to the distribution system, permanently or temporarily, on the basis of the approval for connection of the distribution system operator, in compliance with this Law and regulations adopted pursuant to this Law.

The approval for the connection referred to in paragraph 7 of this Article shall also be issued for devices and installations of public events, circuses, mobile facilities, water facilities, containers, caravans, horizontal and vertical signalisation on the existing roads, telecommunications and video surveillance equipment, billboards, pumps, wells, irrigation systems, separators, excavators, energy storage devices, prosumers, and other devices and installations in public areas or on plots where there are no buildings built according to the law governing the buildings construction.

The approval for connection referred to in paragraph 7 of this Article shall also be issued for facilities of the customer or electricity producer that are already connected to the distribution system, in case of reconnection following the disconnection, change of technical conditions at the connection place, including: increase or decrease of approved capacity in the facility of the electricity consumer or producer, change of metering method, change of metering point and other cases as requested by the user.

Detailed conditions for issuing the approvals for the connection to the distribution system referred to in paragraphs 7, 8 and 9 of this Article shall be regulated by virtue of the regulation on the conditions of delivery and supply of electricity.”

Article 59

In Article 141, after paragraph 4, new paragraphs 5-7 shall be added to read:

“If the construction of the electricity distribution network referred to in Article 128, paragraph 2 and the connection referred to in paragraph 1 of this Article is not envisaged in a valid planning document, or the planning document does not exist, urbanistic project may be prepared for the purpose of obtaining location conditions, without changing tor adopting the planning document, except for facilities in the protected area.

Construction or reconstruction of the electricity distribution network referred to in Article 128, paragraph 2 and the connection referred to in paragraph 1 of this Article on publicly owned land may be conducted without transferring the investment rights if the investor of construction or reconstruction is the distribution system operator that was established, i.e. to whom the authorisations were transferred from the owner of the land in public property.

For the reconstruction or extension of a building or connection referred to in paragraph 6 of this Article, which is not registered in the public books regarding the property records, in accordance with the law governing the registration of property, no proof of the appropriate right to land or building should be submitted as a proof, but a study of geodetic works with the appropriate statement of the investor stating the technical properties and general condition of the facility”.

Former paragraphs 5 and 6 now become paragraphs 8 and 9.

After the former paragraph 6, which now becomes paragraph 9, paragraph 10 shall be added, which reads:

“In case of connection of own consumption of transformer stations of 400/x kV and 220/x kV of the transmission system operator, the costs of construction of the connection shall be borne by the distribution system operator.”

Article 60

In Article 142 paragraph 1, after words: “connection of the facility”, the words “referred to in Article 140 paragraphs 7, 8 and 9 of this Law”.

In paragraph 3, number “2” shall be replaced by number “1”.

Article 61

 In Article 145, paragraph 1, the introductory sentence shall be amended to read as follows:

“The distribution system operator shall connect the consumer’s facility and the electricity storage facility to the distribution system within seven days from the day of fulfilling the following conditions:”

Item 1) shall be amended to read as follows:

“1) conditions from the approval for connection referred to in Article 140, paragraphs 7, 8 and 9 of this Law, i.e. from the conditions for design and connection for facilities referred to in Article 140, paragraph 1 of this Law;”

In item 2) after the words: “usage permit”, the words: “or an act approving the trial operation” shall be added.

Item 3) shall be amended to read as follows:

“3) that the consumer or electricity storage submits to the distribution system operator a supply contract without commercial data, or a confirmation of the supplier on the concluded contract;”.

In paragraph 2, the word: “eight” shall be replaced by number: “15”.

In paragraph 2, item 3) after the word “electricity”, the words: “without commercial data;” shall be added.

Article 62

Article 147 shall be amended to read:

“Article 147

Electricity facilities built before 2016, at the request of the distribution system operator, shall be entered in the cadastre of power lines on the basis of a study of geodetic works.”

Article 63

In Article 153, in item 2), after the words: “about the work of the distributive,” the words: “i.e. transmission one” shall be added, and the words: “to which it is connected” shall be deleted.

Item 11) shall be amended to read as follows:

"11) provide data on electricity consumption and production based on the readings of the electricity meter that meets the prescribed metrological requirements or established consumption profiles by the twelfth of the current month for the previous one, and provide the transmission system operator, consumer, producer and supplier with access to data within three days;”.

After item 15) items 15a) -15c) shall be added to read:

“15a) separate the accounts by activities and submit data and documentation at the request of the Agency;

15b) depending on the degree of deviation from the prescribed quality, pay a fee to the final consumer in accordance with the rules referred to in Article 215 of this Law;

15c) act in accordance with the duties prescribed by the law governing renewable energy sources, as well as energy efficiency;”.

Article 64

In Article 159, the word: “i.e.” shall be deleted and the words: “closed distribution system” shall be added.

Article 65

In Article 160, paragraph 1, the word: “i.e.” shall be deleted and the words: “or of a closed distribution system” shall be added.

Article 66

The name of the Article and Article 162 shall be deleted.

Article 67

 The title and Article 163 shall be amended to read as follows:

“Access to the transmission system in electricity exchange between commercial zones

Article 163

Access to the transmission system in cross-border electricity exchange between commercial zones shall be obtained on the basis of the right to use the cross-border transmission capacity between commercial zones.

Transmission system operator may allocate a physical or financial right to the exploitation of transmission capacity between commercial zones.

The right to use cross-border transmission capacities between commercial zones shall be granted in a non-discriminatory and transparent manner, in accordance with the harmonised technical criteria for the operation of connected transmission systems and the rules on the allocation of cross-border transmission capacities between commercial zones.”

Article 68

 Article 164 shall be amended to read as follows:

Article 164

 “The right to participation in the allocation of rights to use transmission capacities between commercial zones and to use transmission capacities between commercial zones shall be exercised on the basis of agreements concluded between the transmission system operator and market participants, or legal entity who on behalf of the transmission system operator allocates the transmission capacity between the commercial zones.

The rules on the allocation of rights to use transmission capacities between commercial zones shall regulate the procedure and method of allocation of rights to use of transmission capacities between commercial zones, the type and scope of data and the method of their publication, as well as other matters related to the allocation of rights to use transmission capacities between commercial zones.”

The transmission system operator shall adopt the rules referred to in paragraph 2 of this Article with the consent of the Agency and shall publish them on their website.

The rules referred to in paragraph 2 of this Article must be in accordance with the Treaty Establishing the Energy Community and other international treaties ratified by the Republic of Serbia.

Trading zones in accordance with market needs shall be proposed by the transmission system operator and approved by the Agency in accordance with this Law.”

Article 69

Title of Article 165 shall be amended to read:

“Principles of congestion management between trading zones”

In paragraph 2, the words: “cross-border exchanges” shall be replaced by the word: “exchanges”, and after the word: “energy” the words: “between trade zones” shall be added.

In paragraphs 3 and 4, the word: “cross-border” shall be deleted, and after the word: “capacity” the words: “between trading zones” shall be added.

Paragraphs 5 and 6 shall be amended to read as follows:

“Market participants shall notify the transmission system operators in a timely manner about their intention to use the allocated physical right to transmission capacity between the trading zones. The allocated physical right to transmission capacity between the trading zones that is not used shall be re-offered to market participants in a transparent and non-discriminatory manner.

The transmission system operator shall, if technically possible, apply mutual compensation of electricity exchanges between the trading zones of the opposite direction at the same border in order to maximize the use of transmission capacity between the trading zones, taking into account the security of the transmission system. Exchanges between the trading zones that reduce the congestion cannot be refused.”

Paragraph 7 shall be amended to read as follows:

“All revenues generated by the allocation of transmission capacities between the trading zones can be used for the following purposes:

1) guaranteeing the availability of allocated capacity;

2) maintaining or increasing the transmission capacity between the trading zones through investments into the network, and in particular, into the construction of new interconnection transmission lines.”

Article 70

 In Article 167, paragraph 1, the word “cross-border” shall be deleted, and after the word “capacities”, the words “between commercial zones” shall be added.

Article 71

In Article 169, in item 8), the full stop at the end of the sentence shall be replaced by semicolon, and items 9) -12) shall be added to read:

“9) the nominated market operator;

10) prosumer;

11) electricity storage manager;

12) aggregator.”

In paragraph 3, the words: “on the operation of the transmission system, rules on the operation of the distribution system and rules on the operation of the electricity market” shall be replaced by the words: “referred to in Article 53 of this Law pertaining to the field of electricity.”

Article 72

In Article 170, paragraph 4, after the words: “final customer”, the words: “i.e. prosumer” shall be added.

Article 73

In Article 171, paragraph 2, after the words: “this Law”, a comma shall be added and the words: “the law regulating the area of ​​renewable energy sources”.

In paragraph 5, after the words: “final customer”, the words: “and the prosumer” shall be added.

Article 74

In Article 174, after paragraph 1, new paragraphs 2 and 3 shall be added, which read:

“The transmission system operator may, in order to meet the prescribed obligations based on balancing and ensure the safe operation of the system, buy and sell electricity on the regional and single European balancing market.

The manner and procedure of the transmission system operator’s participation in the European balancing platforms shall be regulated by the rules on the operation of the electricity market and the rules on the operation of the transmission system.”

Former paragraphs 2 and 3 now become paragraphs 4 and 5.

After the former paragraph 3, which now becomes paragraph 5, paragraph 6 shall be added, which reads:

“Participation in the balancing market, in addition to the contracts referred to in paragraph 5 of this Article, shall also be regulated by contracts concluded by and between the transmission system operator and the operators of neighbouring transmission systems."

Article 75

After Article 174, the name of the Article and Article 174a shall be added, which read:

“Rules for the suspension and resumption of market activities

Article 174a

The rules for suspension and resumption of market activities shall regulate responsibilities of the electricity transmission system operator, electricity distribution system operator, closed distribution system operator and other participants in the electricity market in the process of the suspension of market activities, in case that:

1) the transmission system is in a state of disintegration;

2) the transmission system operator has exhausted all possibilities provided to them by the market, and the continuation of market activities in the disturbed installation would hinder the elimination of the disturbance;

3) the continuation of market activities would significantly reduce the effectiveness of the process of the resumption of normal operation or endangered normal operation;

4) information and communication systems necessary for performing activities are not available.

The rules referred to in paragraph 1 of this Article shall regulate the procedure for the resumption of the suspended market activities carried out by the transmission system operator in coordination with neighbouring transmission system operators, distribution system operators, closed distribution system operators and electricity market operator.

The rules referred to in paragraph 1 of this Article shall be adopted by the transmission system operator with the consent of the Agency.

The rules referred to in paragraph 1 of this Article shall be published on the website of the transmission system operator and of the Agency, and the Agency’s approval of those rules shall be published in the *Official Gazette of the Republic of Serbia*.

Article 76

After Article 183, a title and Articles 183a – 183h shall be added, which shall read as follows:

 **“Joining the organised electricity market to neighbouring markets**

Article 183a

The appointed electricity market operator is an entity appointed for the implementation of the Day-ahead Coupling and Intraday Coupling of organised electricity market from neighbouring organised electricity markets.

A nominated electricity market operator may be designated in the Republic of Serbia provided they fulfil the following conditions:

1) has access to adequate resources for coordinated implementation of single day-ahead coupling and intraday coupling, including resources necessary to perform the duties of a nominated electricity market operator, financial resources, required information technology, technical infrastructure and operational procedures, or can prove that it will acquire such resources in a timely manner during the preparation period prior to undertaking its tasks;

2) may provide market participants with free access to information relating to duties of a nominated electricity market operator;

3) is cost-efficient in terms of single day-ahead coupling and intraday coupling, and, within its internal accounting, keeps separate accounting for duties of market coupling and other activities for the purpose of preventing cross-subsidisation;

4) is adequately commercially separate from other market participants;

5) if it has been designated, in another EU or EC country, as the national legal monopoly for services of Day-ahead trading and Intraday trading, it may not apply compensations for financing its Day-ahead or Intraday coupling activities in any of the EU or EC countries, other than the one where the above compensations are collected;

6) may act without any discrimination towards all market participants;

7) has adequate market surveillance mechanisms;

8) has concluded adequate agreements regulating the transparency and confidentiality of data with market participants and transmission system operators;

9) may provide required services of financial settlement and payment;

10) may establish required communication systems and procedures for coordination with transmission system operators of EU or EC countries.

The procedure of appointing the nominated electricity market operators shall be initiated by submitting the application to the Ministry along with the necessary documentation.

Upon the receipt of the subject application and documentation referred to in paragraph 3 of this Article, the Ministry shall submit those to the Agency for the purpose of providing a reasoned report. The report shall also contain a conclusion on the fulfilment of the conditions for the appointment of the nominated electricity market operators. The Agency shall issue the opinion within two months from the day when the Ministry submitted the application with the documentation.

The decision on the appointment of the nominated electricity market operators shall be made by the Government at the proposal of the Ministry.

The nominated electricity market operators domiciled in the Member States of the European Union or a Contracting Party to the Energy Community may apply to be nominated electricity market operator in the Republic of Serbia under the conditions of reciprocity.

Article 183b

The nominated electricity market operators shall be responsible for the following:

1) receiving the orders from market participants;

2) coupling and assigning the orders in accordance with the results of the single day-ahead coupling and intraday market coupling;

3) announcing prices that are the result of single day-ahead and intraday trading;

4) effectuating the financial settlement and payment.

In relation to the single day-ahead coupling and intraday market coupling, the nominated electricity market operators shall in particular carry out the following tasks:

5) in coordination with the nominated electricity market operators of other countries, carry out the market coupling functions defined in paragraph 3 of this Article;

6) implement the single day-ahead coupling and intraday market coupling requirements, market coupling function requirements and market coupling pricing algorithm in respect to all issues related to the functioning of the electricity market in accordance with paragraph 3 of this Article;

7) in cooperation with the nominated electricity market operators and transmission system operators of other countries, determine the maximum and minimum prices that can be achieved on the single day-ahead and intraday market, and which will be applied in the trading zones;

8) ensure anonymity and sharing of received information on orders necessary for the accomplishment of market coupling functions provided for in paragraph 3 of this Article;

9) evaluate the results obtained by market coupling functions defined in paragraph 3 of this Article, assign the orders based on those results, confirm the results as final if they are considered correct, and forward the results to the electricity transmission system operator, who verifies them in accordance with allocation restrictions and confirmed cross-border capacity;

10) timely inform market participants about the results of their orders;

11) acts as a central contracting party responsible for financial settlement and payment in the exchange of energy resulting from single day-ahead coupling and intraday market coupling;

12) in cooperation with other nominated electricity market operators and transmission system operators, establish stand-by procedures for the operation of national or regional markets in case there are no results from the market coupling functions, also taking into account alternative procedures proposed by the transmission system operator in cooperation with transmission system operators of other countries, in order to ensure efficient, transparent and non-discriminatory allocation of capacities;

13) submit cost estimates, as well as information on costs incurred on the single day-ahead coupling and intraday market coupling to the Agency and the transmission system operator when the costs of the nominated electricity market operator for the establishment, modification and operation are covered from the contribution of the transmission system operator.

In addition to obligations referred to in paragraphs 1 and 2 of this Article, the nominated electricity market operators shall also execute the functions of markets coupling with the nominated market operators of other countries, as follows:

14) developing and maintaining algorithms, systems and procedures for single day-ahead coupling and intraday market coupling;

15) processing the input data on the capacity between the trading zones and the restrictions in allocations provided by the entities from the coordinated capacity calculation;

16) managing algorithms for price merging of markets and coupling of continuous trading;

17) confirming and submitting the results of the single day-ahead coupling and intraday market coupling to other nominated electricity market operators and transmission system operators.

18) the nominated electricity market operators shall apply the rules of relevant European associations and execute functions related to the single day-ahead coupling and intraday market coupling in compliance with the European practice.

Article 183c

As regards single day-ahead coupling and intraday coupling of markets, the transmission system operator is responsible for:

1. applying the algorithm for price coupling of markets and the algorithm of coupling continuous trading for all aspects connected to the allocation of capacities;
2. establishing and performing a calculation of cross-border transmission capacities;
3. if necessary, establishing an allocation of cross-border transmission capacities between commercial zones and other arrangements;
4. calculating and sending cross-border transmission capacities and limitations of their allocation;
5. verifying results of single day-ahead coupling and intraday coupling as regards the confirmed cross-border capacities and limitations of their allocation;
6. if necessary, designating persons performing calculations of the planned exchange for the purpose of calculations and publications of planned exchanges at borders between commercial zones;
7. observing the results of single day-ahead coupling and intraday coupling;
8. establishing and implementing appropriate alternative procedures for allocations of capacities;
9. proposing the opening and closing time of single day-ahead coupling and intraday coupling between commercial zones;
10. sharing revenues from congestion in accordance with jointly developed methodology;
11. when so agreed, acting as the Transmission Agents for transmission of net positions.

The above duties shall be performed by a transmission system operator in accordance with European regulations governing allocation of cross-border transmission capacities and the management of congestions or methodologies prepared by the European Transmission System Operators.

Article 183d

The Agency shall supervise the nominated electricity market operators performing single day-ahead coupling and intraday coupling of markets in the Republic of Serbia.

The Agency shall exchange all necessary data needed for an efficient supervision of nominated electricity market operators with competent bodies for such supervision in other EU or EC countries.

Article 183e

The central contracting party is an entity competent for physical and financial execution of transactions concluded on the organised electricity markets and financial execution of transactions between two market areas.

The central contracting party shall ensure early financial settlement and increase of all coupled orders in each transaction and organise a physical transmission of the net positions which have resulted from the allocation of capacities with another central contracting party or transmission agent.

The role of a central contracting party may be performed by an organised market operator or legal person authorised for clearing and financial settlement.

Transmission agent is an entity responsible for physical transmission of the net position between different central contracting parties.

The role of a transmission agent may be performed by an organised market operator, transmission system operator or legal person authorised for clearing and financial settlement.

Article 183f

The nominated electricity market operator and transmission system operator are entitled to a compensation of the following costs:

1) establishing, updating or further development of algorithms for Price Coupling of markets and Single Day-ahead Coupling;

2) establishing, updating or further development of algorithms of coupling continuous trading and Single Day-ahead Coupling;

3) incurred in the operation of single day-ahead coupling and intraday coupling.

Article 183h

The Government will further prescribe the conditions and procedure of obtaining, the duration and termination of the status of nominated electricity market operator, the role of the central contracting party, transmission agent and transmission system operator, principles of financial settlement and payment, as well as principles of the day-ahead coupling and intraday coupling of an organised electricity market with neighbouring markets.

The transmission system operator and nominated electricity market operators can also adopt special acts in order to establish and operate the single day-ahead coupling and intraday market coupling.”

Article 77

 In Article 185, after paragraph 2, a new paragraph 3 shall be added to read as follows:

 “The provision of paragraph 1 of this Article shall also apply to data published by the transmission system operator with a view to meeting the prescribed obligations from the rules on the publication of key market data.”.

Article 78

In Article 187, after paragraph 2, new paragraphs 3 and 4 shall be added, which shall read as follows:

“The supplier shall collect and process personal data on customers that are natural persons as regards the supply agreement.

Personal data referred to in Paragraph 3 of this Article include: name and surname, address of permanent or temporary residence, unique master citizen number, address of the facility which is being connected or has been connected to the system, delivery address for invoices, identification number of metering points, or the code of the metering point or customer, or other appropriate unique data or the handover place.”

Former paragraphs 3 shall become paragraph 5.

Former paragraph 4, which shall become paragraph 6, shall be amended to read as follows:

“The supply agreement cannot impose any further financial obligations due to the use of the right to change the supplier, and the supplier is obliged to inform the customer on the opportunities to change the supplier.”

Former paragraph 5 now becomes paragraph 7.

Former paragraph 6 now becomes paragraph 8.

After paragraph 8, paragraph 9 shall be added, which reads:

“The supplier also acts in accordance with the law governing renewable energy sources, as well as energy efficiency.”

Article 79

In Article 188, paragraph 2, after the words: “final customer”, a comma shall be added and the words: “i.e. prosumer”.

Article 80

In Article 190, after paragraph 2, new paragraph 3 shall be added to read as follows:

 “Guaranteed supply shall be automatically performed without any requests by the final customer, and begins with the termination of the supply agreement with the previous supplier, for customers who are entitled to guaranteed supply, on the basis of a list that the distribution system operator submits to a guaranteed supplier.

Former paragraph 3 shall become paragraph 4.

“Guaranteed supplier shall supply the final customer referred to in paragraph 1 hereof under the full supply agreement and is obliged to submit the agreement, in writing, to the final customer within 8 days from the date of the start of guaranteed supply.

After the former paragraph 3, now becoming paragraph 4, new paragraph 5 shall be added to read:

 “If the final customer does not conclude the agreement under paragraph 4 within 8 days from the date of receipt of the agreement, the system operator is obliged to, at the request of the guarantee supplier, suspend the delivery of electricity, and the final customer is obliged to pay the appropriated electricity. ”.

In former paragraph 5, which now becomes paragraph 7, number: “3” shall be replaced by number: “4”, and number: “4" shall be replaced by number: “6”.

After paragraph 7, paragraph 8 shall be added, which reads:

“The guaranteed supplier shall act in accordance with the law governing renewable energy sources, as well as energy efficiency.”

Article 81

 In Article 192, paragraph 1, after item 2), item 2a) shall be added to read as follows:

 ”2a) In case that the supplier has not regulated access to the system for existing metering points of final customers with full supply agreements. ”.

Article 82

 In Article 195, paragraph 1, item 16), the full stop at the end of the sentence shall be replaced by a semicolon and item 17) shall be added, which reads:

“17) does not expose customers who have concluded a contract with the aggregator to unreasonable costs or contractual restrictions.”

Article 83

In Article 198, items 1) - 4) the word: “use” shall be replaced by the word: “consumption”.

In point 4), after the words: “correct metering”, the words: “or registration of consumed electricity;” shall be added.

Item 5) shall be amended to read as follows:

“5) consumption of electricity through a metering device where seals of the system operator have been damaged or are missing, and/or where the final consumer has damaged the seal prescribed by the law on metrology, in the case when irregularity of electricity metering is found;”

In item 6), the words: “which affects the metering accuracy of the used electricity” shall be deleted.

Article 84

In Article 199, paragraph 4, the words: “Non-routine control of the metering point shall be carried out in all cases of suspicion to unauthorised consumption.” shall be deleted, and the words: “metrology” shall be followed by semicolon and the words: “i.e., the relevant body authorised for the verification of metering instruments.” shall be deleted.

After paragraph 4, new paragraph 5 shall be added, which reads:

“Non-routing control of the metering point shall be carried out by the transmission or distribution system operator in cases when such check is needed in accordance with the rules of operation.”

After former paragraph 5, which now becomes paragraph 6, new paragraph 7 shall be added, which reads:

“In the case that unauthorised consumption was found, a report on unauthorised consumption shall be made, which shall contain the found factual situation, accompanied by relevant evidence.”

In former paragraph 6, which now becomes paragraph 8, the words: “paragraph 5” shall be replaced by the words: “paragraphs 6 and 7.”

Former paragraphs 7-8 now become paragraphs 9-10.

Former paragraph 8, which now becomes paragraph 10, shall be amended to read as follows:

“The manner of determining unauthorised consumption and the contents of the report shall be regulated by the Rules of operation.”

Article 85

 In Article 200, paragraph 1 shall be amended to read as follows:

 “In case of unauthorised consumption, the transmission/distribution system operator shall calculate the amount of electricity consumed in an unauthorised manner and deliver the bill to the customer, for the period from the date when the latest scheduled check or unscheduled check of the metering point was performed, to the date when such unauthorised use was detected using the methodology for calculation of electricity consumed in an unauthorised manner, adopted by the Agency.”

After paragraph 1, new paragraph 2 shall be added, which reads:

“In the case referred to in Article 198, item 5) of this Law, the transmission or distribution system operator shall conduct the calculation of unauthorised consumption only in the case when the check of the metering device demonstrates the irregularity of the consumption measurement.”

Former paragraphs 2 and 3 now become paragraphs 3 and 4.

In the former paragraph 3, which now becomes paragraph 4, number: “4” shall be replaced by number: “5”.

Article 86

The name of the Article and Article 201 shall be amended to read as follows:

“Suspension of delivery, i.e. taking over of electricity

Article 201

The transmission, distribution or closed distribution system operator shall suspend the supply of electricity to final customers, i.e. they shall suspend the takeover of electricity from the producer, in the following cases:

1) when using, i.e. handing over of electricity is contrary to the conditions determined in the approval for connection, except in the case when disconnection is envisaged;

2) when the electric power facilities, plants or devices of the customer or producer do not meet the conditions prescribed in the regulations, and represent an immediate danger to human life and health, environment and property;

3) when final customer or producer does not provide the authorised persons of the transmission or distribution system operator with the safe, complete and unobstructed access to metering devices and installations, as well as the metering points for reading, checking of correctness, troubleshooting, replacement, maintenance and control of correct functioning of metering and other devices with metering boxes, arrangement of the metering point;

4) at the request of the supplier due to unfulfilled obligations from the supply contract, properly applying the regulations governing consumer protection;

5) failing to fulfil the obligations under the contract on access to the electricity transmission or distribution system, except in the case referred to in Article 192, paragraph 1, item 2a) of this Law;

6) use or delivery of electricity without a contract on supply or complete supply or purchase of energy, i.e. when their reserve supply has expired and they have not concluded a supply contract;

7) use or delivery of electricity, without regulated balancing responsibility in accordance with this Law;

8) at the written request of the customer or producer, provided that the request pertains to the suspension of not less than one, and not more than two years.

The transmission, distribution or closed distribution system operator may suspend the supply or takeover of electricity to final customers or producers in the following cases:

1) when the final customer enables the other final customer to consume electricity without the approval of the system operator through its installation;

2) when the customer or producer, whose approval for connection does not regulate the impact on voltage quality, causes a decrease in the quality of electricity to other customers with their devices or manner of using electricity, provided that they exceed emission levels allowed by operating rules and do not eliminate interference within the deadline determined by the system operator.

Suspension of delivery does not terminate the supply contract, and the final customer has obligations related to access to the system during the period of suspension of the delivery.

If the suspension is made at the request of the customer referred to in paragraph 1, item 8) of this Article, the customer has no obligations under the supply contract, i.e. regarding the access to the system.

If, in the case referred to in Article 198, item 5) of this Law, it is established that there was no impact on the accuracy of metering, the transmission or distribution system operator shall bring the metering point into a technically correct condition at their own expense.

Before the suspension of delivery, i.e. taking over of electricity, except in the case referred to in paragraph 1, items 2), 3), 4), 6) and 8) of this Article, a warning note must be delivered to the customer or producer within which a deadline is set for the elimination of observed irregularities and deficiencies, which may not be shorter than three days from the date of delivery.

The customer or producer, i.e. the entity whose facility has been deprived from the delivery or taking over of electricity, has the right to complain to the transmission or distribution system operator, except in the case of suspension at the request of the supplier, when the complaint is to be lodged to the supplier.

Detailed conditions and procedure for the suspension of delivery or takeover and the rights and obligations of transmission or distribution system operators, suppliers and final customers or producers shall be set forth in a regulation on the conditions of delivery and supply of electricity.”

Article 87

 In Article 202, paragraph 1, the words: “i.e. to reach an agreement on the fulfilment of obligations” shall be deleted.

Article 88

The name of the article and Article 204 shall be amended and read:

“Disconnection

Article 204

The transmission, distribution, or closed distribution system operator shall disconnect the facility of the final customer or producer from the system in the following cases:

1) unauthorised consumption referred to in Article 198 of this Law;

2) when the final customer or producer prevents the authorised persons of the transmission, distribution or closed distribution system operator from suspending the delivery or taking over of energy;

3) at the written request of the final customer or producer;

4) if the suspension of delivery or takeover of electricity referred to in Article 201, paragraph 1 of this Law took longer than one year, except in the case of suspension of delivery or takeover at the request of the final customer or producer, when the facility is disconnected from the system if the suspension of delivery or takeover took more than two years;

5) after the expiration of deadline for the connection determined in the approval for connection.

The transmission, distribution, or closed distribution system operator shall disconnect a producer’s facility in the following cases:

1) handover of electricity without the connection approval;

2) delivery of electricity with approval for connection before fulfilment of conditions for the connection;

3) handover of electricity after the suspension thereof;

4) transmission of electricity without a metering device, outside the metering device, or through a metering device on which the correct measurement or registration of the delivered electricity is disabled;

5) delivery of electricity through a metering device on which the seals of the system operator are damaged or missing and/or on which the customer has damaged the seal prescribed by the Law on Metrology, provided that the irregularity of electricity metering is found;

6) unauthorised replacement of the device.

In case of disconnection of the facility of the final customer or producer from the system, the supply or purchase contract and the contract on access for the place of handover of the facility to be disconnected shall be terminated, and in order to be reconnected, the final customer or producer shall obtain approval for connection in accordance with Article 140, paragraph 2 of this Law.”

Article 89

In Article 207, paragraph 2 shall be deleted.

Article 90

In Article 210, after the words: “final customer”, a comma shall be added and the words: “i.e. prosumer”.

Article 91

After Article 210, the names of Articles and Articles 210a-210c shall be added to read:

“Electricity storing

Article 210a

Energy entity performing the activity of electricity storage (hereinafter: electricity storage manager) in accordance with this Law shall carry out the following tasks:

1) buying and selling of electricity;

2) providing the electricity storage service for the needs of other participants in the electricity market;

3) offering ancillary services to the transmission or distribution system operator, in accordance with the technical characteristics and rules on the operation of the transmission and distribution systems and the rules on the operation of the electricity market;

4) concluding a contract on the provision of ancillary services with the transmission or distribution system operator;

5) concluding a contract on participation in the balancing mechanism with the transmission system operator;

6) observing the regulations and rules relating to the operation of the transmission and distribution system and the functioning of the market, regulations relating to the protection of competition, as well as decisions of the competent authorities;

7) making available to the transmission or distribution system operator the data necessary for the operation of the system in accordance with the rules on the operation of the transmission and distribution system and the rules on the operation of the electricity market.

Aggregator

Article 210b

The aggregator shall act on the electricity market on behalf and for the account of the market participants for whom they provide the service of consolidating consumption and/or production.

The aggregator shall:

1) treat the market participant in a non-discriminatory manner;

2) publish general conditions of the offer for concluding the contract, i.e. inform the market participant about the offered conditions in an appropriate manner;

3) provide all relevant data to the market participant free of charge at least once during the accounting period if the market participant requests so;

4) on their website or in another appropriate way, inform the market participant about the aggregation function.

The aggregator and the market participant shall conclude a contract to regulate mutual relations.

**Vehicles charging services for vehicles with electric or combined electric and other types of propulsion**

Article 210c

The provider of vehicles charging services for vehicles electric or combined electric and other types of propulsion (hereinafter: electric vehicles) shall be a company or entrepreneur that provides the service of electric vehicles charging in a public place and they are final customers in the electricity market.

Charging station shall be a public place where the service of electric vehicles charging is provided, or a place where electric vehicles are charged with electricity for public passenger transport.

The distribution system operator shall cooperate on a non-discriminatory basis with any private or legal entity who owns, develops or operates charging stations for electric vehicles.

As a rule, the distribution system operator cannot own, develop or operate charging stations for electric vehicles, unless they own charging stations exclusively for their own use.

The Government shall regulate technical specifications for electric vehicle charging stations, the possibility, manner and place of metering, obligations of the system operator towards the final customers who provides electric vehicle charging service, obligations of the electric vehicle charging service provider and other matters related to charging stations.”

Article 92

In Article 214, paragraph 1, items 1) and 2) shall be amended to read:

“1) conditions for approving the connection to the transmission or distribution system, conditions for changing technical conditions at the place of connection and approved power,

2) conditions and manner of connecting the facilities referred to in Article 140, paragraphs 7, 8 and 9 of this Law;”

Items 4) -6) shall be deleted.

In item 9) after the words: “deliveries” the words: “or takeovers” shall be added, and after the words: “final customers” the comma shall be deleted and the words: “or producers” shall be added.

Item 11) shall be deleted.

Items 13) -15) shall be deleted.

In item 16) after the words: “final customer” the words: “or producers” shall be added, and after the words: “customers” the words: “or producer” shall be added, and the words: “and the procedure for deciding upon the complaint” shall be deleted.

In point 17) after the words: “final customer”, the words: “or producer” shall be added.

After item 18), item 18a) shall be added, which reads:

“18a) the procedure, manner and deadlines for exercising the final customer’s right on compensation due to deviations from the prescribed quality of delivery, i.e. electricity supply;”.

Article 93

In Article 215, paragraph 1, the words: “regulations governing the general conditions of delivery and supply of electricity” shall be deleted.

In paragraph 2, the word: “closer” shall be deleted.

Paragraph 3 shall be deleted.

Former paragraph 4, which now becomes paragraph 3, shall be amended to read as follows:

“The Agency shall use the achieved values ​​of quality indicators of electricity supply to approve the development plans and funds for investments, and in the case of regulation of prices of access to the transmission and distribution systems based on the incentive methods of price regulation, in the manner prescribed by methodologies for determining regulated access prices, wherein they define the manner of determining and the maximum amount of incentives, i.e. reduction of the approved maximum revenue, and depending on the direction and degree of deviation from the required values ​​of the technical quality indicators of delivery.”

Former paragraph 5 shall be deleted.

In former paragraph 6, which now becomes paragraph 4, the words: “and the manner of determining the amount of charges” shall be replaced by the words: “the amount of charges to the final”.

Article 94

In Article 217, after paragraph 1, new paragraph 2 shall be added, which reads:

“Relocation of the energy distribution facility may also be performed at the request of a legal or private entity, provided there are technical conditions for relocation.”

Former paragraphs 2 and 3 now become paragraphs 3 and 4.

In paragraph 3, the words: “referred to in paragraph 1” shall be replaced by the words: “referred to in paragraphs 1 and 2”, and after the words: “energy facility” the words: “or the applicant for relocation” shall be added.

In paragraph 4, after the words: “energy facility” the words: “or the applicant for relocation” shall be added.

Article 95

 Article 218 shall be amended to read as follows:

“Article 218

An energy entity performing an activity of transmission or distribution of electricity is obliged to implement protective measures in accordance with this Law and other technical regulations.

A protective belt shall be established on the date of construction of a power line, and the officiality of the transmission of the power line within the protective belt zone shall be established.

The transmission system operator shall, within a period not exceeding three years from the day of the commencement of works on the energy facility, in the manner prescribed by law, notify the owner of the properties through which the energy facility passes, or on whose property the construction of the energy facility is carried out.

The owner of the property on which the energy entity has acquired the right of officiality referred to in paragraph 2 of this Article, may submit a request for compensation within three years from the date of receipt of the notification referred to in paragraph 3 of this Article.

The amount of fees shall be determined by the findings of relevant expert of appropriate qualifications.

Electricity system operators shall not be obliged to pay a fee for officiality on publicly owned land.

Facilities may be constructed in the protective belt, below, above or next to electric power facilities, and trees and other vegetation may be planted, if such actions are undertaken in accordance with the conditions prescribed by the Law or technical rules, with the consent of the energy entity.

The owner or holder of other property rights who intends to carry out the construction works in the protective belt of the energy facility, before submitting the request for the issuance of a construction permit, shall obtain the consent of the energy entity.

The consent referred to in paragraph 8 of this Article shall be issued upon the fulfilment of conditions of the energy entity referred to in paragraph 7 of this Article, which the investor of the facility/works proves by submitting a study certified by authorised person in accordance with law.

The protective belt for overhead electric power lines, on both sides of the line from the final phase conductor, shall have the following width

1) for the voltage level between 1 kV and 35 kV:

(1) for bare conductors - 10 meters, through forest area - 3 meters;

(2) for poorly insulated conductors - 4 meters, through forest area - 3 meters;

(3) for self-supporting cable bundles - 1 meter;

2) for the voltage level of 35 kV, 15 meters:

3) for the voltage level of 110kV, including 110 kV, 25 meters:

4) for the voltage level of 220 kV and 400 kV, 30 meters.

The protective belt for underground electric power lines (cables), from the edge of the reinforced concrete channel, shall have the following width:

1) for the voltage level of 1 kV to 35 kV, including 35 kV - 1 meter;

2) for the voltage level of 110 kV - 2 meters;

3) for the voltage level exceeding 110 kV - 3 meters.

The protective belt for transformer stations in the open space shall be:

1) for the voltage level of 1 kV to 35 kV - 10 meters;

2) for the voltage level of 110 kV and exceeding 110 kV - 30 meters.

The transmission/distribution system operator in charge of the energy facility shall regularly remove trees or branches and other vegetation endangering the energy facility operation, at its own expense.

In order to protect human life and health and safety of energy facilities, the owner or holder of other rights to the property located in the protective belt may not, without the prior consent of the energy entity, build facilities or conduct special types of work for which it is not necessary to obtain a permit from the competent authority in accordance with the regulations governing the building construction.

It shall be prohibited to use vehicles and machinery in the protective belt components of which in the operation approach the energy facility of the transmission system closer than five meters, i.e. closer than two meters to the facility of the distribution system, without the presence of representatives of the system operator.

A request for the presence of a representative of the system operator shall be submitted no later than five days before the start of the planned activities.”

Article 96

In Article 222, paragraph 2, the words: “carries out the tasks of organising and administering the natural gas market and” shall be deleted.

Article 97

In Article 227, paragraph 1, the words: “Article 225 hereof shall not apply” shall be replaced by the following words: “paragraphs 2 to 5 of Article 225 of this Law shall not apply.”

Article 98

In Article 230, paragraph 1, after the words: “transport system”, the words: “which is part of a vertically integrated company” shall be added.

Article 99

Article 231, paragraph 2 shall be amended to read as follows:

“The information referred to in paragraph 1 of this Article shall not be available to other parts of the vertically integrated company, unless this is necessary for the performance of their business activities. The owner of the transmission system and other parts of the vertically integrated company cannot have joint services, except for services for administrative and IT affairs.”

Article 100

In Article 232, paragraph 3, after the words: “transport system”, the words: “is also the owner of the transport system” shall be added.

Article 101

In Article 241, paragraphs 1 and 5, the words: “transmission system” shall be replaced by the words: “transport system”.

In paragraphs 4 and 5, the words: “two months” shall be replaced by the words: “four months”.

Article 102

In Article 242, paragraph 2 shall be amended to read as follows:

 “The Agency shall continuously monitor whether the certified transmission system operator meets the requirements referred to in Article 223 of this Law and shall initiate a new certification procedure in the following cases:

 1) when the transmission system operator notifies them about the changes referred to in paragraph 1 of this Article;

 2) when they have learned about the planned changes that form the grounds for new certification procedure, or that may lead or have led to a violation of the regulations on separation;

 3) when the competent body, in accordance with the obligations arising from ratified international agreements, submits a justified request.”

Article 103

 In Article 246, paragraph 1, item 1), the words: “transmission system” shall be replaced by the words: “transport system”.

Article 104

 In Article 247, paragraph 1, item 6), after the words: “balancing the system”, the words: “if they are responsible for the regulation and administration of the natural gas market;” shall be added.

 In Article 247, paragraph 1, item 9) shall be deleted.

 After paragraph 1, paragraphs 2 and 3 shall be added to read:

 “The natural gas transport system operator with the largest number of exits from the transport system shall be responsible for regulating and administering the natural gas market.

 The Government shall, upon the proposal of the Ministry, designate the transport system operator referred to in paragraph 2 of this Article.”

Article 105

 In Article 248, item 24) shall be amended to read as follows:

 “24) adopt an act on the prices for non-standard services, which is to be approved by the Agency and which is published on the website of the system operator;”.

 After item 24) items 24a) - 24d) shall be added to read:

 “24a) submit to the Agency information on the change of supplier and the degree of market openness;

 24b) submit the data necessary for the regulation and administration of the natural gas market to the transport system operator referred to in Article 247, paragraph 2 of this Law;

 24c) depending on the degree of deviation from the prescribed quality of delivery, pay a fee to the final customer in accordance with the rules referred to in Article 215 of this Law;

 24d) act in accordance with duties prescribed by the law governing renewable energy sources, as well as energy efficiency;”

 After paragraph 1, paragraph 2 shall be added, which reads:

 "Duties referred to in paragraph 1, items 6), 7), 8) and 11) of this Law shall apply only to the transport system operator who is responsible for the regulation and administration of the natural gas market.”

Article 106

In Article 250, paragraph 3, after the words: “development plan”, the following words shall be added: “connected transport systems,”.

Article 107

In Article 250 paragraph 2, the words: “the Ministry and” shall be deleted.

Article 108

In Article 254, paragraph 1, item 23), after the words: “functioning”, the words: “and administration” shall be added.

After paragraph 1, new paragraph 2 shall be added, which reads:

“In paragraph 1, items 11), 15), 16) and 21) of this Article shall apply only to the transport system operator which is responsible for the regulation and administration of the natural gas market.”

Former paragraphs 2 and 3 now become paragraphs 3 and 4.

Article 109

In Article 261, item 20), after the words: “of the transport system”, the words: “and to the transport system operator referred to in Article 247, paragraph 2 of this Law” shall be added.

Item 25) shall be amended to read as follows:

“25) adopt an act on the prices for non-standard services, approved by the Agency and published on the website of the system operator;”

After item 25), items 25a) -25c) shall be added to read:

“25a) submit to the Agency information on the change of supplier and the degree of market openness;

25b) depending on the degree of deviation from the prescribed quality of delivery, pay a fee to the final customer in accordance with the rules referred to in Article 215 of this Law;

25c) act in accordance with duties prescribed by the law governing renewable energy sources, as well as energy efficiency”.

Article 110

In Article 263, paragraph 2, the words: “the Ministry and” shall be deleted. Paragraph 4 shall be deleted.

Article 111

After Article 290, Article 290a shall be added to read as follows:

“Article 290a

The Agency may decide on the request for an amendment of the final act on exemption, in a procedure prescribed for its adoption, if, at the time of the submission of the request, the construction of an energy facility has not begun.

The Agency will, at the request of a party, abolish the act on exemption referred to in Articles 167, 288 and 289 hereof, in full or in part, prior to the expiry of its validity.”

Article 112

In Article 292, paragraph 1, after item 2), the item 2a) shall be added to read as follows:

“2a) wholesale natural gas supplier;”.

Article 113

 After Article 296, new titles and Articles 296a and 296b shall be added to read as follows:

“Mandatory keeping of records

Article 296a

A supplier and wholesale supplier are obliged to make all relevant data concerning transactions from the agreement on natural gas supply of all market participants, other than final customers, available to the Agency, authority competent for competitive activities and competent body in accordance with the obligations arising from confirmed international agreements.

Data under paragraph 1 of this Article shall contain particulars about the characteristics of transactions such as: duration, rules on the delivery and settlement of obligations, quantities, dates and times of execution and prices of transactions, as well as a specification of all agreements on natural gas supply for which obligations have not been fulfilled.

The supplier is obliged to keep the data under paragraph 2 of this Article for the purpose of making them available for at least 5 years.

Protection of commercially sensitive data

Article 296b

The transmission/distribution system operator, natural gas storage operator, supplier and wholesale supplier are obliged to keep, as a trade secret, data and documents containing information on selling prices, quantities and conditions of natural gas supply, measurement data on production/consumption by final consumers, and other data and documents, if publishing them or making them available to third parties could result in disturbances in the natural gas market.

Paragraph 1 of this Article also concerns agreements on natural gas supply in the period of one year from the date of termination of such agreements, other than agreements concluded in the public procurement procedure, where, after the expiry of that period, measurement data on production/consumption of natural gas by final consumers may be communicated, or documents may be given to third parties, only upon request of the producer or final consumer of natural gas.”.

Article 114

In Article 315, item 11), the words: “of the natural” shall be deleted.

After item 12), new item 12a) shall be added to read as follows:

“12a) procedure/manner and deadlines for exercising the right of final consumers to a compensation due to a deviation from the prescribed quality of delivery/supply;”

After paragraph 1, new paragraph 2 shall be added to read:

“The gas taken into the system referred to in item 11) of this paragraph, besides the natural gas, can also be biogas and other types of low-carbon gases, to the extent that the given gases can be technically and safely taken over and transported through the natural gas system.”

Former paragraphs 2 and 3 now become paragraphs 3 and 4.

Article 115

Titles of Article 320 and Article 320 shall be amended to read as follows:

**“Monitoring of indicators of delivery and supply of electricity and natural gas**

**Article 320**

Energy entities performing energy-related activities related to natural gas delivery and supply are obliged to ensure the quality of delivery and supply stipulated by this Law, regulations referring to the general terms of natural gas delivery and supply, and other regulations passed on the basis hereof.

The Agency shall pass the rules under Article 51, paragraph 1, item 2) hereof, which shall prescribe in more detail the indicators of technical and commercial quality of natural gas delivery, the method of recording data and calculating the indicators, the manner and deadlines for the submission of data and reports to the Agency, the method for determining the required values of particular indicators, as well as the method for the assessment of results obtained by monitoring of the achieved values of quality indicators in relation to the required ones.

The Agency shall use the recorded values of natural gas delivery technical quality indicators when approving development plans and investment funds, and when regulating prices of access to transport and distribution systems based on price regulation incentive measures, in the manner prescribed by methodologies for determining regulated prices of access, which define the method for determining and maximum amount of incentives, i.e. reduction of the approved maximum revenue, depending on the direction and degree of deviation from the required values of indicators of the technical quality of delivery.

Indicators of the commercial quality of delivery and supply that shall be particularly monitored are the following: ensuring efficient communication with customers/system users, informing of planned outages, precise and clear notification of final customers of the terms of natural gas delivery and supply, the number of submitted and number of justified submissions of final customers, compliance with prescribed deadlines for taking action on submissions of final customers, and other indicators.

The rules under paragraph 2 of this Article shall also define the method for determining the amount of compensation to customers on the basis of any deviations from the prescribed quality.”

Article 116

In Article 324, paragraph 1, the words: “compressed natural gas” shall be replaced by the words: “biofuels, compressed natural gas, liquefied natural gas and oxygen.”

Article 117

In Article 327, paragraph 1 shall be amended to read as follows:

“An energy entity performing the activity of oil transport via oil pipelines or oil derivatives transport via oil derivatives pipelines shall pass the rules on operation of the system for oil transport via oil pipelines, i.e. the rules on operation of the system for oil derivatives transport via oil derivatives pipelines, which shall in particular contain: technical conditions for safe system operation; procedures in case of outages and crisis situations, i.e. interruption of transport, rules on access to the oil/oil derivatives transport system; payment security instruments and criteria for determining the amount and period for which they are required; conditions referring to the quality of oil/oil derivatives delivered for transport, the rules on measurement with the defined necessary metering equipment, and other transport conditions.”

Article 118

In Article 335, the words: “and compressed natural gas” shall be replaced by the words: “bioliquids, compressed natural gas, liquefied natural gas and hydrogen”.

In item 1) after the words: “biofuels”, the words: “bioliquids, compressed natural gas, liquefied natural gas and hydrogen” shall be added.

After item 1), item 1a) shall be added to read as follows:

“1a) data on the production of crude oil and the average price of the production of crude oil;”

Item 2) shall be amended to read as follows:

“2) data on prices of oil derivatives, biofuels, bioliquids, compressed natural gas, liquefied natural gas and hydrogen, with and without excise duties and taxes;”

Article 119

In Article 337, paragraph 1 shall be amended to read as follows:

 “Oil derivatives, biofuels, bioliquids, compressed natural gas, liquefied natural gas and oxygen placed on the market shall meet the conditions stipulated by regulations on the quality of liquid petroleum fuels. biofuels, bioliquids, compressed natural gas, liquefied natural gas and oxygen, regulations on environmental protection, technical and other regulations referring to trade in fuels under this paragraph.”

 In paragraph 3, the words: “shall prescribe in more detail” shall be replaced by the words: “shall prescribe in more detail”.

Article 120

 In Article 338, paragraph 2, the words: “shall prescribe in more detail” shall be replaced by the words: “shall prescribe in more detail”.

Article 121

In Article 339, paragraph 1, the words: “and compressed natural gas” shall be replaced by the words: “bioliquids, compressed natural gas, liquefied natural gas and hydrogen, storage of operational and mandatory reserves”.

After paragraph 1, paragraph 2 shall be added, which reads:

“The Ministry shall establish an automated information system for the information flow management and reporting referred to in paragraph 1 of this Article."

Article 122

Article 345 shall be amended to read as follows:

“Article 345

Energy entities performing the activity of oil derivatives production and trade in oil, oil derivatives, biofuels and compressed natural gas, liquefied natural gas and oxygen, except for those dealing only with trade in compressed natural gas and/or liquefied natural gas and/or oxygen, shall ensure operating reserves of oil derivatives that equal at least the ten-day average quantity of motor petrol and gas oils under paragraph 5 of this Article, or fifteen-day average quantity of jet fuels under paragraph 5 of this Article, which they had placed on the market of the Republic of Serbia in the previous year, from their own production and import.

Energy entities performing the activity of electricity production and/or combined production of electricity and/or thermal energy shall ensure operating reserves of oil derivatives and/or coal in a quantity that will ensure at least fifteen days of their average production of electricity and/or thermal energy in January, February and March of the previous five years.

Energy entities performing the activity of thermal energy production from oil derivatives and/or coal for the supply of thermal energy to tariff customers shall ensure operating reserves of oil derivatives and/or coal in a quantity that will ensure at least fifteen days of their average production of electricity and/or thermal energy in January, February and March of the previous five years.

Energy entities performing the activity of thermal energy production from natural gas for the supply of thermal energy to tariff customers shall ensure a possibility of natural gas substitution with another energy-generating product in a quantity that will ensure at least fifteen days of their average production of thermal energy in January, February and March of the previous five years.

Operating reserves of oil derivatives under paragraph 1 of this Article can be created and maintained in the form of motor petrol, jet fuels and gas oils which are used as fuels for internal combustion engines and option agreements for above derivates, provided that the oil derivate which is the subject of an option agreement is stored in the territory of Serbia.

Operating reserves of oil derivatives under paragraphs 2, 3 and 4 of this Article can be created and maintained in the form of crude oil, oil derivatives used as energy fuels and option agreements, provided that the oil derivate which is the subject of an option agreement is stored in the territory of the Republic of Serbia. At least one third of the obligatory stored reserves should be in finished goods.

The Government shall prescribe in more detail the conditions and method of gradual provision, utilisation and recovery of operating reserves of oil derivatives, coal and other energy products.

Operating reserves of oil derivatives, coal and other energy products shall be used in case of short-term disturbances in the market, due to outages and other contingencies endangering the safety of operation of certain parts of the energy system or the energy system as a whole.

Notwithstanding paragraph 5 of this Article, in the periods of preparation and duration of refinery overhaul, as well as 15 days after the completion of the overhaul, operational reserves referred to in paragraph 1 of this Article may be maintained in crude oil not longer than three months a year.”

Article 123

In Article 349, paragraph 4, item 2), after the words: “sale”, the words: “and storage” shall be added.

Article 123

In Article 349, paragraph 4, item 2), after the words: “sale”, the words: “and storage” shall be added.

Article 124

In Article 359 paragraphs 2 and 3 shall be amended to read as follows:

“The supplier of thermal energy shall be responsible for providing the amount of thermal energy to supply final customers, which is sufficient to reach the prescribed temperature of the heated space and the delivered hot water.

The supplier of thermal energy shall provide the quantities of thermal energy for technological needs according to special agreed conditions.”

Article 125

In Article 361, paragraph 1, after the words: “especially in case of termination of the contract, as well as conditions for submitting and resolving upon the final customer’s request for suspension of heat supply”, the words: “in accordance with the act referred to in paragraph 2 of this Article” shall be added.

After paragraph 1, new paragraphs 2 and 3 shall be added to read:

“The Ministry shall adopt a regulation to set forth the rights and obligations of final customers of thermal energy, as well as the conditions for submitting and resolving upon the request of final customers for the suspension of heat supply.”

The rights and obligations of final customers shall be regulated by the contract on the supply of final customers with thermal energy, which contains in particular:

1) information on the contracting parties and the date of concluding the contract;

2) subject of the contract;

3) identification of the designation of the common metering point;

4) provisions on reporting and data exchange;

5) provisions on the price of thermal energy;

6) method of calculation and payment deadline;

7) procedure in case of unauthorised consumption of thermal energy;

8) rules for the distribution of thermal energy;

9) the manner of determining and calculating the damage in case of non-performance or irregular performance of the contract;

10) provisions on the duration of the contract and special conditions of validity of the contract in case of a request to suspend the supply of thermal energy;

11) other mutual obligations and other necessary data;

12) the manner of resolving disputes.”

Former paragraph 2 now becomes paragraph 4.

Article 126

After Article 361, Article 361a shall be added to read:

“Article 361a

The thermal energy distributor shall suspend the delivery of thermal energy to final customers at the written request of the customer, provided that the suspension is requested for a period of at least one year.

The suspension of delivery does not terminate the contract for the supply of thermal energy, and in the period of suspension of delivery, final customer has the obligations related to the calculation and payment of a fixed part of the price of thermal energy.

Detailed conditions and procedure for suspension of delivery and the rights and obligations of heat distributors and final customers shall be set forth by the regulation on conditions for submitting and resolving upon the requests of final customers for suspension of heat supply referred to in Article 361, paragraph 1 of this Law.”"

Article 127

The name of the Article and Article 365 shall be amended to read as follows:

“Incentives in the field of thermal energy

Article 365

Incentive measures in the field of thermal energy shall prescribed by the law governing the field of renewable energy sources.”

Article 128

Article 366 shall be deleted.

Article 129

In Article 367, after paragraph 5, new paragraph 6 shall be added to read as follows:

“The trade inspector shall issue a decision prohibiting the trade in oil derivatives in an energy facility which is not entered into the license for performing energy activity, on the spot where energy activity is performed.”

Former paragraphs 6 and 7 now become paragraphs 7 and 8.

In former paragraph 7, which shall become paragraph 8, after the word: “explosion”, the words: “the ministry in charge of financial affairs”.

Article 130

After Article 367, new Articles 367a, 367b and 367c shall be added to read as follows:

 “Article 367a

In accordance with its scope of activities, the Ministry shall monitor the activities of bodies appointed in accordance with the law governing technical requirements for products and conformity assessment.

 Article 367b

Bodies for inspections and examinations of pressure equipment appointed in accordance with the law governing technical requirements for products and conformity assessment shall provide the Ministry with information on recording and inspections and examinations of the pressure equipment through the central register of pressure equipment.

The central register of pressure equipment is a unique electronic register of high hazard pressure equipment, which shall contain data on the following:

1) owners or users of pressure equipment;

2) locations and technical and other characteristics of pressure equipment;

3) performed recordings and inspections and examinations of pressure equipment, or registration forms and audit forms and minutes on inspections and examination of pressure equipment;

4) conformity documents issued by bodies for conformity assessment of pressure equipment;

5) pressure equipment which has been put out of service;

6) dates of the upcoming inspections and examinations of pressure equipment;

7) bodies appointed for inspections and examinations of pressure equipment and persons authorised for inventorying registration forms and audit forms in appointed bodies.

Article 367c

Users of pressure equipment established in an act under paragraph 3 of this Article must fulfil conditions in terms of expert personnel or conditions in terms of the number and professional competence of employees performing activities with pressure equipment.

Professional competence under paragraph 1 of this Article shall be verified by passing a professional examination.

The Ministry shall prescribe criteria for determining users of pressure equipment, conditions in terms of the number and professional competence of employees, as well as other persons obliged to pass the professional examination referred to in paragraph 2 of this Article.

The Ministry shall further prescribe the terms, programme and method of taking an examination referred to in paragraph 2 of this Article.”

Article 131

Article 368 shall be amended to read as follows:

Article 368

“The law and other regulations governing inspections apply to contents, type, form, procedure and implementation of inspection, authorisations and obligations of the participants in the inspection and other matters of importance for inspections which are not governed by this Law.”

Article 132

Article 369 shall be deleted.

Article 133

The title and Article 370 shall be deleted.

Article 134

The title and Article 371 shall be deleted.

Article 135

In Article 374, paragraph 1, item 1) shall be amended to read as follows:

“1) whether energy entities, devices and installations used in performing the activities of electricity production, transmission and distribution perform meet the prescribed conditions for performing such activities;”.

Item 7) shall be amended to read as follows:

“7) whether electrical facilities, devices and installations are regularly maintained in accordance with law during the use of electric power facilities, and whether the control of electrical facilities, devices and installations is carried out in accordance with technical and other regulations;”.

Article 136

In Article 377, paragraph 1, in the introductory sentence, after the words “pressurised equipment”, the following words shall be added: “while performing inspections,”.

Item 5) shall be amended to read as follows:

“5) if pressure equipment used in performing energy activities meets the prescribed conditions for performing such activities;”.

Article 137

Article 378 shall be amended to read as follows:

“Article 378

The energy inspector shall carry out inspection supervision over the performance of energy activities in accordance with this Law, over facilities for storage and production of oil, oil and biofuel derivatives and production of thermal energy that are not pressurised equipment, as well as supervision over the implementation of regulations on mandatory and operational reserves, the quality of natural gas and regulations in the area of thermal energy.”

Article 138

Article 380 shall be amended to read as follows:

“Article 380

While carrying out the inspection supervision, the energy inspector shall be entitled and shall have the duty to check:

1) whether a license has been obtained for performing energy activities, except for energy activities referred to in Article 16, paragraph 1, items 19), 20), 22) and 23) of this Law;

2) whether energy entities that perform the activity of production, distribution and supply of thermal energy, perform these activities in accordance with the regulations;

3) whether the mandatory reserves are kept in accordance with regulations;

4) whether the operational reserves are kept in accordance with regulations;

5) whether the energy permit has been obtained for facilities for storage of oil, oil derivatives, biofuels, compressed natural gas and liquefied natural gas with a total tank volume of more than 10 m3, facilities for the production of biofuels with a capacity of over 10 tons per year, and facilities for thermal energy generation of 1 MW or more power, other than pressurised equipment;

6) the quality of the delivered natural gas on the basis of the report of the body determined by the Ministry in accordance with the law governing public procurements.

The energy inspector shall also carry out other tasks determined by law or a regulation adopted on the basis of law.”

Article 139

Titles and Articles 381-384 shall be deleted.

Article 140

The title and Article 385 shall be amended to read as follows:

“Inspector's prerogatives

Article 385

When conducting inspections, an electrical inspector, pressure equipment inspector, energy inspector and market inspector shall be obliged to:

1) order that detected illegalities be eliminated in the deadline defined by the Inspector;

2) adopt a decision and impose an administrative measure if the supervised entity does not eliminate an illegality in the allowed period, except when, due to the necessity of undertaking urgent measures, the decision is adopted without delay;

3) prohibit the incorporation of devices, plants and installations or pressure equipment if, within a specified deadline, detected illegalities have not been eliminated;

        4) prohibit the trade in oil derivatives in an energy facility which is not entered into the license for performing energy activity where energy activity is performed;

5) prohibit the use of an energy facility or use of a device, plant or installation or pressure equipment, if:

(1) detected illegalities have not been eliminated before the expiry of the deadline set out in the decision on the elimination of illegalities;

(2) operation or use of an energy facility, device, plant or installation or pressure equipment endangers people's lives and/or health, environment or flora and fauna, material goods or safety;

(3) energy entity loses its license or consent for storage and supply for own needs due to its failure to fulfil the prescribed conditions or because it does not own a licence to perform energy activities or consent for storage and supply for own needs, except in the case under Paragraph 26 hereof, or if energy facility where energy activity is performed is not entered in the license for performing energy activity;

6) file criminal charges to the competent judicial authority, an application for an economic offence or a request for initiating misdemeanour proceedings, and/or undertake other actions and measures authorised by the Law or another regulation;

7) order a fulfilment of prescribed obligations in a specified deadline and temporarily prohibit operation if the order is not fulfilled in the allowed deadline.

Energy entity or another legal person or entrepreneur or natural person, or responsible person who has been ordered by an inspector’s decision to eliminate illegalities, is obliged to eliminate any illegalities in the prescribed deadline and inform the inspector in writing on the elimination of illegalities in the deadline stipulated by the decision.”

Article 141

Article 387, paragraph 2 shall be amended to read as follows:

“The appeal shall postpone the execution of the decision, except in the case when it is necessary to take urgent measures prescribed by the provisions of the law governing inspection supervision, which is specifically explained in the decision.”

After paragraph 2, paragraph 3 shall be added, which reads:

“In the event that the first-instance decision of the inspector has already been annulled once, the second-instance body cannot annul it again and refer the case to the inspection for a repeated procedure, but shall resolve this administrative matter on its own.”

Article 142

In Article 388, after paragraph 2, paragraph 3 shall be added, which reads:

“The inspector may not perform economic or other activities and activities for themselves or another employer from the area in which they carry out the inspection supervision, may not participate in the work of expert working groups or bodies of supervised entities, i.e. persons subject to inspection supervision, or carry out other services, jobs and actions that are contrary to the position and role of the inspector and jeopardize their independence in the performance of their duties.”

Article 143

In Article 389, after item 3), item 3a) shall be added, which reads:

“3a) does not supply thermal energy in accordance with Article 359, paragraph 2 of this Law;”

After item 8), item 8a) shall be added, which reads:

“8a) acts contrary to the rules referred to in Article 51, paragraph 1, item 2a) of this Law;”

Items 9) -12) shall be deleted.

Item 21) shall be deleted.

Item 22) shall be amended to read as follows:

“22) fails to execute the decision of the inspector and fails to notify the inspector of the elimination of illegality within the time limit determined by the decision referred to in Article 385 of this Law;”.

Article 144

In Article 390, paragraph 1, item 2) after number: “24)”, numbers: “24a) and 24b)” shall be added, after the words: “Article 280, paragraph 2” the word: “and” shall be deleted, and after the words: “Article 301, paragraph 1, items 10) and 11)” the words: “and Article 296a of this Law” shall be added.

Item 3) shall be deleted.

Article 145

After Article 390, Article 390a shall be added, which reads:

“Article 390a

A fine ranging between RSD 50,000 and 150,000 shall be imposed onto the responsible official in the competent administrative body who has issued a construction permit upon the application for construction of energy facility that is not accompanied by relevant energy permit, if the obligation to submit such energy permit with the application for a construction permit is prescribed by law and by-laws governing the field of planning and construction”.

Article 146

 In Article 391, paragraph 1, after item 1), item 1a) shall be added to read as follows:

“1a) starts performing energy activity without obtaining a license in terms of this Law (Article 17 hereof)."

After item 2), item 2a) shall be added, which reads:

“2a) acts contrary to the rules referred to in Article 51, paragraph 1, item 2a) of this Law;”.

Item 4) shall be deleted.

Item 13) shall be deleted.

Item 14) shall be amended to read as follows:

“14) fails to execute the decision of the inspector and fails to notify the inspector of the elimination of illegal conduct within the time limit determined by the decision in terms of this Law (Article 385 of this Law)”.

In paragraph 2, item 3) shall be amended to read as follows:

“3) if they act contrary to the rules referred to in Article 51, paragraph 1, item 2a) of this Law;”

Item 4) shall be deleted.

Item 14) shall be deleted.

Item 15) shall be amended to read as follows:

“15) they fail to implement the decision of the inspector and to inform the inspector about the elimination of illegalities within the deadline stipulated by the decision in terms of this Law (Article 385 hereof).”

Article 147

The title of, and Article 429 shall be deleted.

Article 148

Article 431 shall be deleted.

Article 149

The distribution system operator shall establish an up-to-date database about all customers from the category of households and small customers, and their metering points by 1st May 2023.

The guaranteed electricity supplier shall, based on the database referred to in paragraph 1 of this Article, no later than 1st May 2024, establish an up-to-date database on all customers from the category of households and small customers they supply, and shall conclude the electricity supply contract in written form.

Article 150

The distribution system operator shall take over all metering devices, metering switchboards, connecting lines, installations and equipment in the metering switchboards no later than 31st December 31 2024 according to the annual schedule of 25% not taken over metering devices, metering switchboards, connecting lines, installations and equipment in the metering switchboards starting from the day this Law enters into force.

Article 151

The electricity transmission or distribution system operator shall, within one year from the day when this Law enters into force, adopt a plan for the implementation of advanced metering systems referred to in Articles 115 and 138 of the Law on Energy (*Official Gazette of Republic of Serbia*, No. 145/14 and 95/18 – state law).

Article 152

The distribution system operator shall take over all metering devices, i.e. metering regulating stations not later than 31st December 2024.

Article 153

Regulations for the enforcement of this Law shall be adopted within one year from the day when this Law enters into force, except for the regulations referred to in Articles 7, 22, 23, 39 and 76 of this Law, which shall be adopted within six months from the day of entry into force of this Law, and regulations referred to in Article 6 of this Law, which shall be adopted within nine months from the day of entry into force of this Law.

The regulation referred to in Article 27, paragraph 7 of the Law on Energy (*Official Gazette of Republic of Serbia*, No. 145/14 and 95/18 – state law) shall be aligned with the provisions of this Law within six months.

The regulation referred to in Article 7 of this Law in the part pertaining to thermal energy shall be applied upon the provision of funds for exercising the rights of energy vulnerable customers of thermal energy in the budget of the Republic of Serbia.

Regulations referred to in Article 219 of the Law on Energy *Official Gazette of Republic of Serbia*, No. 145/14 and 95/18 – state law) shall be adopted within five years from the day when this Law enters into force.

Until the enactment of the regulations from paragraphs 1 and 2 of this Article, the regulations adopted on the basis of the Law on Energy (*Official Gazette of Republic of Serbia*, No. 145/14 and 95/18 – state law) shall apply, if they are not in contradiction to the provisions of this Law.

The Autonomous Province and local self-government units shall adopt the development plans referred to in Article 4 of this Law within two years from the day of the adoption of the Strategy and Programme.

Local self-government units shall adopt the regulation on the conditions for submitting and resolving upon the final customer’s request for suspension of supply of thermal energy referred to in Article 127 of this Law, as well as a register of issued licenses and records of thermal energy producers of 0.1 MW to 1 MW power, and regulations referred to in Article 361 paragraph 1 of the Law on Energy (*Official Gazette of Republic of Serbia*, No. 145/14 and 95/18 – state law) within six months from the date of entry into force of this Law.

Article 154

The Agency shall adopt the methodologies referred to in Article 26, paragraphs 1 and 2 of this Law within six months from the day when this Law enters into force.

The Agency shall adopt the act referred to in Article 27, paragraph 6 of this Law within two months from the day when this Law enters into force.

The Agency shall align the rules referred to in Article 27, paragraph 1 of this Law within three months from the day when this Law enters into force.

The Agency shall adopt the rules referred to in Article 27, paragraph 2 of this Law within six months from the day when this Law enters into force.

The Agency shall determine the amount of the fee referred to in Article 28 of this Law within six months from the day when this Law enters into force.

Article 155

System operators shall draft acts referred to in Article 39 of this Law, obtain the consent of the Agency and submit them to the Ministry, no later than four months from the day when this Law enters into force.

System operators shall adopt the rules referred to in Article 43 of this Law no later than six months from the day when this Law enters into force.

System operators shall align the general acts referred to in Article 109, paragraph 1, items 7), 8), 12), 13), 25), Article 136, paragraph 1, item 1) and the plan referred to in Article 136, paragraph 1, item 11), and Articles 248 and 261 of the Law on Energy (*Official Gazette of Republic of Serbia*, No. 145/14 and 95/18 – state law) with the provisions of this Law no later than six months from the date of entry into force of this Law, and shall submit them to the Agency for approval.

The energy entity for the transport of oil through oil pipelines, i.e. oil derivatives through product pipelines, shall align the rules of operation referred to in Article 327, paragraph 1 of the Law on Energy (*Official Gazette of Republic of Serbia*, No. 145/14 and 95/18 – state law) with the provisions of this Law no later than six months from the day this Law enters into force, and shall submit them to the Agency for approval.

Article 156

The nominated electricity market operator may submit the application to be appointed as the Nominated Electricity Market Operator in the Republic of Serbia, when the Agency assesses that the conditions for several nominated electricity market operators in the Republic of Serbia have been met, at the earliest upon the expiry of the period not less than four years from the date of entry of this Law into force.

Article 157

Licenses for performing energy activity of trade in oil, oil derivatives, biofuels and compressed natural gas issued before the day when this Law entered into force shall be valid until the expiration of the period for which they were issued under the title of trade in oil, oil derivatives, biofuels, bioliquids, compressed natural gas, liquefied natural gas and hydrogen referred to in Article 10 of this Law, and if the energy entity submits such license to the Agency within 90 days from the day when this Law enters into force in order to record the changed title of activity and make a note on the decision by which the license was issued.

In the case of activities referred to in paragraph 1 of this Article with engine fuels that are not covered by the issued license, the licensed energy entity shall submit to the Agency the application to change the license, regardless of the changed title of the license.

Article 158

Provisions of Article 22 of this Law relating to the electronic procedure shall apply from the date of development of the software that supports this system.

Article 159

This Law shall come into force on the eighth day from its publishing in the *Official Gazette of the Republic of Serbia*.